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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 14, 2009.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House Representatives.

PRAYER

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

Lord God, purveyor of all human events and Father of the ages, the times in which we live cause Your people to be filled with anxiety and hesitant to trust.

Make the Members of Congress strong in their defense of the most vulnerable in our midst, to inspire light in our darkness.

Make them bold in upholding moral principles and determined to do what is right for the Nation's stability, without feeling self-righteous or fearful of personal consequences because of their unified purpose to do what is best for this country.

If the times ask much of us, Lord, enable us to make sacrifices or to take risks that will ensure a better future for Your people.

Help us to stand strong because we place all our trust in You. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. LARSEN of Washington 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 10 requests for 1-minute speeches on each side of the aisle.

IT'S TIME FOR AMERICA TO COME HOME

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

Mr. KUCINICH. Madam Speaker, the American people have a right to know or ask what's going on here. We have trillions of dollars for war, trillions of dollars for Wall Street, and trillions of dollars for health insurance companies; but now we hear we have less money for Social Security and less money for Medicare. Is there a connection?

We must begin restoring our Nation by restoring the peace. And we begin today when we defeat the supplemental appropriation that keeps us in Iraq and Afghanistan.

Democrats were elected on a promise to end the war in Iraq; we are continuing it. Democrats were elected to get us out of Afghanistan; the war is escalating. And to top it all off, Members of Congress, we have a rule, it's in the rule, which keeps Guantanamo open, keeps the prisoners there, despite the fact that many of them may have had their basic rights violated.

It's time for America to come home, start paying attention to creating jobs, health care, education, retirement security, investor security.

It's time for us to start paying attention here instead of running around the world trying to tell other people how to live.

SOCIAL SECURITY

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

Mr. SAM JOHNSON of Texas. Madam Speaker, a new report shows Social Security is a lot worse off than predicted. It's time for Congress to find real solutions to the Nation's ailing retirement safety net. The trustees' report predicts an even gloomier forecast than last year due to the economic downturn and the beginning retirement wave of the baby boomer generation.

The President and Majority Leader HOYER have rightly called for action to bolster Social Security's future. Congress must respond now by finding a solution.

As the lead Republican tasked with handling Social Security, I stand ready and willing to join Democrats and Republicans to get the job done now. The longer we delay, the more drastic Social Security's adjustments will be, the greater the burden will be on future generations, and the more detrimental the impact on our national economy.

Americans want, need, and deserve a Social Security system that works.

AMERICA'S ADDICTION TO OIL

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

Printed on recycled paper.

Mr. McDERMOTT. Madam Speaker, immediately after the President announced his intention to turn America into a 21st century green economy, the special interests began lobbying to keep America addicted to oil.

We were told there's no urgency to change, no threat to the planet from the ongoing and massive releases of carbon into the atmosphere, and that we should pump every drop of oil out of every foreign country regardless of how many wars we need to wage to satisfy our addiction.

Just remember this: The special interests want to keep us addicted to oil because that is in their interests, not ours, not America's best interests.

We have an Administration that recognizes and is responding to the global crisis, and Congress needs to support the President with legislation that will cure America of its addiction to oil and save the planet in the process.

Time indeed is running out, and we have before us the evidence and the legislative proposals to remake America into a clean and energy-independent economy. It's time to act while there's still time to have air to breathe.

ENERGY PUNISHMENT TAX

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

Mr. POE of Texas. Madam Speaker, somewhere in the prohibited, cold corridors of the darkened back rooms of this castle, the Capitol, in places unknown, unseen, and unheard of by the public, the new Federal taxcrats are carefully crafting the energy punishment tax.

This $646 billion tax is aimed at punishing Americans and businesses for using any type of energy. The idea is we should not only feel guilty for using energy, we should pay for our energy sins by being taxed on consumption.

So the taxcrats are going to double the cost of natural gas and home heating oil by taxing the use of it. Use natural gas or home heating oil in your home to keep warm in the winter, you're going to be hit with the keeping warm tax.

Electricity costs are going to increase by 73 percent; so be careful about turning on the AC. It's going to cost you more with the keeping cool tax.

Taxes on gasoline will go up 50 percent. Don't drive your car unless you want to pay the new driving tax.

Americans are taxed enough already. The government should not tax us back to a Stone Age existence with the new absurd energy punishment tax.

And that's just the way it is.

NORWEGIAN CONSTITUTION DAY

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

Mr. LARSEN of Washington. Madam Speaker, I rise today to join in the celebration of Syttende Mai, or Norwegian Constitution Day.

On May 17, 1814, an assembly of Norway's leaders signed a Constitution declaring Norway's independence and establishing a government that was radically democratic for its time, especially in Europe.

This Sunday, exactly 195 years later, millions of Norwegians will gather to celebrate their independence, their long history of constitutional democracy, and their national achievements.

Norwegians and Norwegian Americans across our country will celebrate at smaller, but no less joyful, Constitution Day events. In my home State of Washington, the Norwegian Ambassador to the U.S. will serve as the Grand Marshal of a Constitution Day parade.

The United States and Norway share in the celebration of Constitution Day because we have a strong diplomatic friendship, a robust trading relationship, and a shared history of commitment to democratic principles.

Moreover, the U.S. and Norway are military partners. Today in Afghanistan, as a for instance, Norwegian soldiers are fighting the Taliban and al Qaeda alongside U.S. servicemembers.

So I congratulate Norway on this Constitution Day and look forward to celebrating Syttende Mai with them for years to come.

STIMULUS

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

Mr. PITTS. Madam Speaker, the Associated Press issued an analysis this week that describes what many have known all along: The $787 billion economic stimulus plan isn't getting to the people who need it most.

For those who knew the Federal Government would not be able to effectively and efficiently distribute the money, this comes as no surprise.

The May 11 story says: ''Counties suffering the most from job losses stand to receive the least help from President Barack Obama's plan to spend billions of stimulus dollars on roads and bridges, an Associated Press analysis has found.''

The story continues: ''The very promise that Obama made, to spend money quickly and create jobs, is locking out many struggling communities needing those jobs. Many struggling communities don't have projects waiting on a shelf. They couldn't afford the millions of dollars for preparation and plans that often is required.''

The Democrat spokesman for the House Transportation Committee said, ''I think the Administration oversold the transportation aspect of this. It was sold as the heart and soul of the package, and it really just isn't.''

That's the understatement of the year.

21ST CENTURY GREEN SCHOOLS

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

Mr. SIRES. Madam Speaker, a healthy learning environment for our children is the gateway to a brighter future. Unfortunately, too many of them attend schools that are crumbling, making it harder for teachers to teach and students to learn. In fact, research has shown better quality schools have higher rates of student achievement.

For this reason I urge my colleagues to pass H.R. 2187, the 21st Century Green High-Performing Public School Facilities Act to modernize, upgrade, and repair school facilities across this country. This legislation creates healthier, safer, and more energy-efficient learning environments for our Nation's children. In addition to improving our schools, this bill will play an important role in protecting our environment and improving our economy through the creation of environmentally sound schools and the creation of thousands of new construction jobs.

Madam Speaker, I represent an urban district where many students would benefit from the modernization of these schools. By passing this bill, these students and others across this country will get the opportunity to learn in a healthier and sounder environment.

THE CAP-AND-TAX PROPOSAL: WRONG MEDICINE FOR AN AILING ECONOMY

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

Mr. SHIMKUS. Madam Speaker, a picture is worth a thousand words. And this ran in the Wall Street Journal: ''The U.S. recovery: Uncle Sam throwing a lifeline out''. And what is it? It is an anvil of a tax. This signifies what is happening on this cap-and-tax proposal.

A 44 percent to a 129 percent increase in electricity costs, gasoline up 61 cents, natural gas up 108 percent.

Don't believe me? Believe Chairman Emeritus JOHN DINGELL, who said, ''Nobody in this country realizes that cap-and-trade is a tax, and it's a very big one.''

Also, President Obama, who said, ''Under my plan of a cap-and-trade system, electricity costs would necessarily skyrocket.''

A tax increase is the wrong medicine for an ailing economy.

AMERICAN CLEAN ENERGY AND SECURITY ACT

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

Mrs. CHRISTENSEN. Madam Speaker, as the American Clean Energy and

Security Act goes to markup next week, citizens around our country will be looking forward to legislation that not only addresses the crucial issues of energy independence and climate change but also does not greatly increase our costs.

Americans understand that we are at a crucial point with the high and unpredictable costs of energy, global warming, and its direct impact on our health, wellbeing, and national security must be addressed. The people of the insular areas understand this in a more acute way as we have the highest energy costs in the Nation, geographic locations that are susceptible to the ill effects of climate change, and economies that can be easily affected if the goals of energy independence and environmental sustainability are not reached.

As we work to move our country into a new clean energy economy, we look forward to our full inclusion in legislation that will create jobs in our communities, encourage the production of cleaner renewable energy resources, decrease the pollution that has damaged our air and water quality and impacted our health, and produce entrepreneurial opportunities for both large and small businesses.

We look forward to a new direction and a new clean energy and green economy.

□ 1015

TAKE CARE OF OUR SOLDIERS AND THEIR FAMILIES

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, last Monday a tragic event occurred in Iraq when five servicemembers were killed at the Camp Liberty Combat Stress Control Center. It points out the importance that we need to pay attention to with posttraumatic stress disorder, acute stress disorder, and a wide range of other mental illnesses which can occur after prolonged combat or exposure to severe stress.

We need to understand and communicate with our soldiers and their officers that these problems are real and they are treatable and you can get a soldier back in emotional shape. It is not a sign of weakness. It is not a sign of failure on the part of the soldier or the officer, but they need to get help.

Over the centuries in our military, the uniforms have changed, the weapons have changed, the ships have all changed, but the soldier remains the same, brave and strong and true. But Congress must, nonetheless, provide substantial funding to take care of our soldiers and their families and keep them in mental health shape and physical shape and to get them back on their feet strong and ready.

Congress and our Nation must continue to support them. There is hope, there is treatment, and we need to continue and support our soldiers in that endeavor.

RECOGNIZING NATIONAL AMERICORPS WEEK

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

Mrs. CAPPS. Madam Speaker, I rise today to recognize National AmeriCorps Week. Over the last 15 years, nearly half a million AmeriCorps volunteers have served with thousands of nonprofits, public agencies, and faith-based organizations across America. AmeriCorps recruits and trains millions of community volunteers to serve our country's critical needs in education, the environment, public safety, and disaster relief nationwide.

Sixty-five percent of AmeriCorps alumni go on to pursue a career in public service. In my home State of California alone, almost 8,000 people this year will participate in one of more than 7,500 AmeriCorps programs throughout the State. One such program is coordinated by the Santa Barbara County Education Office in my district.

This program provides daily tutoring and reading for over 700 at-risk students. It recruits volunteers for additional educational programs, and it works to increase disaster preparedness in the schools of Santa Barbara County.

The over 700 million hours served by AmeriCorps members have bettered our communities and touched the lives of countless Americans. These individuals dedicate their time and energy to help meet the needs of our local communities, and during these tough economic times, we need them now more than ever.

To all these incredible participants in AmeriCorps, I commend you and thank you for your service.

NOT RELEASING DETAINEE PHOTOS IS THE RIGHT DECISION

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

Mrs. BLACKBURN. Madam Speaker, I rise today to say thank you to our President. I am grateful that he has reversed his decision on releasing the alleged detainee abuse images.

It was the right decision to come to. It was the right decision to make, and I congratulate him. I thank him. I think we are all grateful to him.

I am glad to see that he listened to his team of national security advisers and realized that releasing those images is not in our national interest.

It does not make this Nation more safe. It makes it less safe. It does not help our troops in the field. It makes their job more difficult, more dangerous, and it makes their lives less safe every day.

Having Fort Campbell in my district, with troops just returning, having our Tennessee National Guardsmen just now deploying to Afghanistan, what we need to do every day is say thank to you these men and women and make certain that our service honors their service. And I thank the President for joining us in reversing his decision.

PAY MORE ATTENTION TO FRAYING ECONOMY

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

Ms. KAPTUR. Madam Speaker, today we have a $96.7 billion bill that expands supplemental funds for more war in Iraq, ratchets up U.S. military presence in Afghanistan, and allocates a minimum of $400 million for nation building in Pakistan where corruption is the norm.

We must ask how competent is our government to transform a world beyond our borders that speaks Arabic, Pashtun, and Farsi? Not even a handful of our military does.

Those majorities practice religions largely foreign to us, and their governments, if you can call them that, are undemocratic, weak nation states with vast legions of poor people and corrupt governance. Pakistan alone has 163 million impoverished people, and Afghanistan's largest export is heroin. So we are going to inject ourselves into that situation even deeper, with almost no multinational support.

What have we achieved politically in Iraq? Spending our Nation into endless debt, we have transformed a secular dictatorship into a divided Nation separating Sunni, Shia, and Kurd factions. A nation of 25 million has been upended, millions uprooted, and maybe 18 million shell-shocked people remain, while oil contracts have been divided up among multinationals. Not a pretty picture. And not a situation that will hold long term.

So, now we're going to take on Afghanistan, a country that's not a nation, with over 400 tribes, where the Taliban is strengthened by the very sight of foreign troop presence.

Madam Speaker, it is time for America to come to our senses. After $1 trillion, isn't it time to pay more attention to the fraying economy here in our homeland and the American people?

PRESSING NEED FOR TAX SIMPLIFICATION

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

Mr. BUCHANAN. Madam Speaker, last week the House Small Business Subcommittee on Finance and Tax held a hearing on a long overdue issue: the pressing need for tax simplification for America's small business.

The IRS estimates it takes over 37 hours to complete the 1040 short form, the most basic income tax form we have. Why does it take this long? Because our Tax Code today runs over 67,000 pages.

This is a disgraceful state of affairs. We need a simpler and fairer Tax Code that rewards, not punishes, hard work and success. Small business creates 70 percent of all new jobs in America. Small business can lead us out of this economic recession and back into recovery if Congress gives them a chance.

Let's start by overhauling our broken tax system.

HONORING CHRISTOPHER CAINE

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

Mr. WELCH. Madam Speaker, today I would like to honor Christopher Caine's 25 years of service to one of Vermont's most important and valued businesses, IBM.

The largest private employer in Vermont, IBM has long served as a bedrock in Essex Junction in the greater Burlington community. It has proven itself to be a strong corporate citizen and has shown the world that Vermonters can compete for quality high-tech jobs.

For the past 25 years, Christopher Caine has made a major contribution to that success in such positions as public policy director and, most recently, as vice president of governmental affairs.

Like thousands of Vermonters who earn their livelihoods at IBM, Christopher has worked diligently to ensure the success of this great American company, and, in so doing, he has contributed to a key part of Vermont's economy.

Upon his retirement this year from IBM, I want to salute Christopher for his contribution to IBM and to the State of Vermont.

CERTIFY YUCCA MOUNTAIN AS PERMANENT NUCLEAR WASTE DEPOSITORY

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

Mr. PAULSEN. Madam Speaker, nuclear power is an environmentally friendly way to meet our energy needs. Fortunately, we have a safe and ready option for permanent storage for the waste generated by this clean power at Yucca Mountain in Nevada.

But despite the fact that energy ratepayers in my State have contributed over $375 million to the Nuclear Waste Fund, the Federal Government has refused to keep its end of the bargain and store the nuclear waste.

Nationwide, this fund has now collected over $350 billion in fees and interest since its inception. Minnesotans and all Americans should not have to pay for government inaction.

I have introduced legislation that would require the President to certify Yucca Mountain as a permanent nuclear waste depository; and if it's not certified, the bill would return billions of dollars from the Nuclear Waste Fund to ratepayers across the country.

Madam Speaker, let's quickly pass the Rebating America's Deposits Act.

DO BETTER TO GIVE VETERANS SUPPORT

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

Mrs. DAHLKEMPER. Madam Speaker, we owe our Nation's brave men and women in uniform a debt of gratitude. However, after speaking with so many families, it's obvious that we must do better to give veterans the support that they have earned. None of our troops should end up on the streets after serving their country, and all of our troops should have access to treatment for conditions such as posttraumatic stress syndrome.

This is why I rise today to announce my strong support for the Veterans Bill of Rights. This new bill of rights pledges three things.

One, we will increase the Veterans Administration's direct support for homeless veterans. No veteran should ever go hungry.

Two, we will make counseling services for PTSD available in every veterans center in America.

And, most importantly, three, we in Congress will make veterans a number one priority in all public policy decisions. We owe this to them and much, much more.

I urge my colleagues to join me in support of Veterans Bill of Rights.

ENERGY

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

Ms. FOXX. Madam Speaker, during the campaign, President Obama pledged 95 percent of taxpayers would not see their taxes increased one single dime. Unfortunately, the President has broken this promise.

The President's budget included a cap-and-trade policy, otherwise known as cap-and-tax, that will hit every home utility bill and inflict more pain at the pump. Every American will be impacted by this dangerous policy. American households, on average, can expect to pay an additional $3,100 a year in energy costs.

The American people still live with the memory of $4 a gallon for gas and the hardship it inflicted on their family budgets. Even our Democrat colleagues say this.

Mr. BUTTERFIELD from North Carolina is quoted today in Roll Call as saying, ''The cost of everything is going to go up.''

The cost of everything is going to go up. This is the wrong direction for this country.

VISIT LAS VEGAS

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

Ms. BERKLEY. Madam Speaker, this week is National Tourism Week. Tourism is the sixth biggest industry in America.

As the congresswoman from the entertainment and tourism capital of the world, fabulous Las Vegas, I want to encourage all of my fellow citizens to enjoy the remarkable diversity of options the tourism industry provides.

Come to Las Vegas. Enjoy our great hotels, fabulous shows, superb restaurants, water sports, Grand Canyon tours, great shopping, and our other wholesome family entertainment. Memorial Day weekend is right around the corner. Make your reservations now.

I promise you will have slots of fun.

SALUTE TO ROBBIE BEANE

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

Mr. FLEMING. Mr. Speaker, I rise today to salute a sheriff's department veteran from Beauregard Parish in my Louisiana district who was recently killed in the line of duty.

Detective Robbie Beane had dedicated 14 years of his life protecting and serving the good people of Beauregard Parish. On May 5, he died in an accident while on duty with three of his fellow officers.

During his 14 years as a member of the Beauregard Parish Sheriff's Department, Robbie Beane worked his way up to detective and had become a volunteer member of the SWAT team and the SWAT diving team.

Detective Beane was an active member of his church and volunteered in civic organizations. He was slated to be the next president of the Deridder Lion's Club.

Detective Beane is the first member of the Beauregard Sheriff's Department to be killed in the line of duty.

He leaves behind his wife, Nikki, and their daughter, Joslynn. This is a tragic loss, and I want to express my sincere condolences to his family and thank Robbie Beane for his service to our State.

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

The SPEAKER pro tempore (Mr. KRATOVIL). Pursuant to House Resolution 427 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2187.

□ 1028

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes, with Mrs. TAUSCHER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose on Wednesday, May 13, 2009, amendment No. 5 printed in House Report 111–106, offered by the gentleman from Indiana (Mr. ELLSWORTH), had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–106 on which further proceedings were postponed, in the following order:

Amendment No. 7 by Ms. GIFFORDS of Arizona.

Amendment No. 10 by Mr. BRIGHT of Alabama.

Amendment No. 11 by Mr. GRIFFITH of Alabama.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MS. GIFFORDS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Arizona (Ms. GIFFORDS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Ms. GIFFORDS:

In the table of contents in section 1(b) of the bill, add at the end the following:

Sec. 314. Education regarding projects.

At the end of the bill, add the following:

SEC. 314. EDUCATION REGARDING PROJECTS

A local educational agency receiving funds under this Act may encourage schools at which projects are undertaken with such funds to educate students about the project, including, as appropriate, the functioning of the project and its environmental, energy, sustainability, and other benefits.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 334, noes 97, not voting 8, as follows:

[Roll No. 255]

AYES—334

Abercrombie
Ackerman
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—97

Aderholt
Akin
Bachmann
Barrett (SC)
Barton (TX)
Bilbray
Blackburn
Blunt
Boehner
Bonner
Boozman
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Buyer
Camp
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coffman (CO)
Cole
Conaway
Deal (GA)
Duncan
Fallin
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Granger
Graves
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Lamborn
Latta
Linder
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McClintock
McCotter
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Neugebauer
Nunes
Paul
Pence
Petri
Poe (TX)
Posey
Price (GA)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Souder
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Tierney
Walden
Westmoreland
Whitfield
Wilson (SC)

NOT VOTING—8

Bishop (UT)
Bordallo
Engel
Radanovich
Sánchez, Linda T.
Stark
Tanner
Welch

□ 1057

Messrs. JORDAN of Ohio, CARTER, McCARTHY of California, FLAKE, COLE, LUCAS, BONNER, WALDEN, BURGESS, BARRETT of South Carolina, ROSKAM, WHITFIELD, GRAVES, Ms. GRANGER, Mrs. McMORRIS RODGERS changed their vote from ''aye'' to ''no.''

Mr. JONES changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. BRIGHT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BRIGHT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. BRIGHT:

In section 102(a), add at the end the following:

(3) DISTRESSED AREAS AND NATURAL DISASTERS.—From the amount appropriated to carry out this title for each fiscal year pursuant to section 311(a), the Secretary shall reserve 5 percent of such amount for grants to—

(a) local educational agencies serving geographic areas with significant economic distress, to be used consistent with the purpose described in section 101 and the allowable uses of funds described in section 103; and

(B) local educational agencies serving geographic areas recovering from a natural disaster, to be used consistent with the purpose

described in section 201 and the allowable uses of funds described in section 203.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 433, noes 0, not voting 6, as follows:

[Roll No. 256]

AYES—433

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
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
Faleomavaega
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
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 (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
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
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—6

Bordallo
Radanovich
Sánchez, Linda T.
Stark
Tanner
Whitfield

□ 1107

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. GRIFFITH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. GRIFFITH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. GRIFFITH:

In section 102(b)(2)(C)(v) of the bill, strike ''air quality,'' and insert ''air quality (including with reference to reducing the incidence and effects of asthma and other respiratory illnesses),''.

In section 103(12), strike ''through (11)'' and insert ''through (12)''.

In section 103, redesignate paragraphs (11) and (12) as paragraphs (12) and (13), respectively.

In section 103, insert after paragraph (10) the following:

(11) measures designed to reduce or eliminate human exposure to airborne particles such as dust, sand, and pollens;

In section 310(a)(5)(D) of the bill, after ''quality,'' insert ''student and staff health (including with reference to reducing the incidence and effects of asthma and other respiratory illnesses),''.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 433, noes 0, not voting 6, as follows:

[Roll No. 257]

AYES—433

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
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)

Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pierluisi
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
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—6

Faleomavaega
Putnam
Radanovich
Sánchez, Linda T.
Stark
Tanner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. There are 2 minutes remaining on this vote.

□ 1114

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. PUTNAM. Madam Chair, on rollcall No. 257 I was unavoidably detained. Had I been present, I would have voted "aye."

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. BALDWIN) having assumed the chair, Mrs. TAUSCHER, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes, pursuant to House Resolution 427, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. THOMPSON of Pennsylvania. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of Pennsylvania. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of Pennsylvania moves to recommit the bill, H.R. 2187, to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendment:

In section 311, add at the end the following:

(c) LIMITATION.—

(1) IN GENERAL.—Notwithstanding subsections (a) and (b) and any other provision of this Act, for any fiscal year for which funds are authorized to be appropriated under this Act that immediately follows a fiscal year in which the Federal Government has a deficit in excess of $500,000,000,000, the amount authorized to be appropriated under this Act shall be $0.

(2) DEFINITION.—For the purpose of this subsection, the term "deficit" means a fiscal year during which outlays of the Federal Government exceed receipts of the Federal Government.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. THOMPSON of Pennsylvania. Thank you, Madam Speaker.

We all know our Nation is drowning in a sea of red ink, but earlier this week we learned that the sea is even deeper than we knew. On Monday we learned that this year's deficit is now projected to be $1.84 trillion, about $90 billion higher than we were told in February. And what's the majority's answer to record-setting deficit spending? Of course it's more spending.

The bill we're debating today would add an estimated $40 billion in new spending. And despite the majority's hollow promises of fiscal responsibility, there's nothing in the legislation to offset this hefty price tag with spending reductions elsewhere. This is just more of the same borrow and spend, spend and borrow policy that we've seen under this majority and this administration.

This motion to recommit is a small but meaningful step to reverse that trend. It allows this bill to take effect exactly as the majority has drafted it as long as the Federal deficit is below $500 billion. We're not cutting the bill. We're not damaging the schools. We're not doing any of the other things that the majority would surely accuse us of. We're keeping this bill exactly as it is now. The only difference is that when our Nation's deficit exceeds $500 billion, we will not authorize the funding for this particular new program.

Half a trillion dollars is an awfully high bar. In fact, the entire time George W. Bush was President—in fact, the entire history of our great Nation, our deficit has never exceeded $500 billion, that is until this year in which we're facing a deficit of $1.84 trillion.

I urge Members to vote yes on this motion to recommit and send a signal to the American people that we're serious about taming the deficit.

Maybe one day the Federal Government will be able to afford $40 billion to tell schools how to maintain their facilities, but that day is not today.

This motion to recommit ensures that this new program will wait until we can afford it, until the American people can afford it.

Before I close, I'd like to point out that the Obama administration may feel the same way. The administration did not issue a statement of administration policy on H.R. 2187. That's a deliberate decision not to endorse the bill, and that is conspicuous. I can't help but wonder if President Obama agrees that now is simply the wrong time to swipe a $40 billion charge on the government charge card and send the bill to our children and our grandchildren.

I urge a "yes" vote on the motion to recommit.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Madam Speaker and Members of the House, this legislation last year had bipartisan support as it passed this House overwhelmingly. Why did it have that support? Because this legislation

enabled the Federal Government to partner with local school districts who were looking to repair and to restore and renovate their schools to make them more energy efficient so that those local school districts could save on the average $100,000 in energy bills by making these changes.

We know that the economy has made it more difficult for those local school districts to be able to repair and renovate and restore those schools that are in such bad need of that kind of work. So we offer the hand of the Federal Government as a partner with those districts based upon those local priorities, some of which have been waiting for several years. That partnership is critical to the survivability of these districts in meeting their energy needs as we go forward.

So what do we have here? We have an attempt to kill this amendment based upon a deficit from a party that gave us and left office with $1 trillion in deficits, when they entered office with $5 trillion in surplus.

They want to tell us how to manage the books and not take care of local schools, not have school construction, not have local jobs in our community because they ran up the deficit. The all-time world champions of deficits now want to suggest to you that you should put your schools at the end of the line of the deficit that they created.

Yes, we have a budget. We have a budget that takes down the deficit, that takes down the deficit to what it was in the Reagan years. You know, we've been through this before. We went through this where the Republicans run up the deficit on the theory that they starve the beast, and then none of the things that we believe in can go into effect.

We're not going to let this happen on this bill. It's most important that we understand that, that this is about this party trying to stop what is an agenda that has bipartisan support in the House, in the Senate, at the local levels to try to improve the learning opportunities for so many of our students.

I would like to yield to the gentleman from New Jersey.

Mr. ANDREWS. Ladies and gentlemen, this amendment is 8 years too late. If the minority wants to be sure there's a trigger before you can do something, where was the trigger before they enacted the reckless tax cuts for the wealthiest people in this country? Where was the trigger before they enacted the disastrous Medicare part D program and plunged us further in deficit? And where was the trigger before they poured over $1 trillion into a mismanaged war in Iraq? This amendment is 8 years too late. Vote it down.

Mr. GEORGE MILLER of California. This decision is simple. The American public made a decision. They want us to go in a new direction. They want us to improve our education systems, our health care systems, and our energy systems.

The party on the other side is not interested in that. They don't have those solutions on the table. They haven't presented those solutions on the table. But what they want to do is infringe on the ability of this President and this country to move forward in a new direction. We cannot let that happen. They didn't do it.

This is a party that is now holding weekend talk sessions about how they lost their way. Yeah, they lost their way on fiscal irresponsibility for 8 years, and now they want the school children of this Nation to pay the bills.

I ask for a ''no'' vote on the motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. THOMPSON of Pennsylvania. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 247, not voting 4, as follows:

[Roll No. 258]

AYES—182

Aderholt
Adler (NJ)
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—247

Abercrombie
Ackerman
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
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
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tauscher
Teague
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—4

Cassidy
Sánchez, Linda T.
Stark
Tanner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1145

Messrs. TEAGUE and MAFFEI changed their vote from ''aye'' to ''no.''

Messrs. SHUSTER and NEUGEBAUER changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CASSIDY. Madam Speaker, on rollcall No. 258 I was unavoidably detained. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. COFFMAN of Colorado. 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 275, noes 155, not voting 3, as follows:

[Roll No. 259]

AYES—275

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
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
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tauscher
Teague
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
Young (FL)

NOES—155

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—3

Sánchez, Linda T.
Stark
Tanner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1154

So the bill was passed.

The result of the vote was announced as above recorded.

AMENDMENT TO THE TITLE OFFERED BY MR. KLINE OF MINNESOTA

Mr. KLINE of Minnesota. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the title offered by Mr. KLINE of Minnesota:

Amend the title so as to read: ''A bill to saddle future generations with billions in debt, and for other purposes.''.

The SPEAKER pro tempore. Under clause 6 of rule XVI, the amendment is not debatable.

The question is on the amendment.

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

RECORDED VOTE

Mr. KLINE of Minnesota. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 149, noes 257, not voting 27, as follows:

[Roll No. 260]

AYES—149

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Roskam
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns

Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOES—257

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
McCarthy (NY)
McCaul
McCollum
McCotter
McGovern
McHugh
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Salazar
Sanchez, Loretta
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—27

Carney
Carter
Dahlkemper
DeGette
Diaz-Balart, L.
Diaz-Balart, M.
Doyle
Gordon (TN)
Hall (NY)
Kagen
Kilpatrick (MI)
Matsui
McDermott
Moore (KS)
Moore (WI)
Moran (VA)
Pence
Rush
Sánchez, Linda T.
Sarbanes
Serrano
Smith (WA)
Stark
Tanner
Van Hollen
Velázquez
Wexler

□ 1217

Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SPEIER, Messrs. DEFAZIO and RANGEL, and Ms. MARKEY of Colorado changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. MOORE of Wisconsin. Mr. Speaker, I regret missing rollcall vote No. 260 today on the dilatory motion offered by the Minority to change the title of H.R. 2187. I was necessarily detained in important meetings and receiving briefings on the FY 2009 supplemental to prepare for the very serious vote on that legislation scheduled for later today.

Simply looking at the motion offered by the Minority, it is clear at face value that it was not a serious legislative effort to improve the Green Schools bill's focus on helping rebuild our nation's schools but was instead a dilatory tactic and a childish effort meant simply to embarrass and delay. We are not children and this is not a game. If I had been present, I would have voted ''no.''

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2187, 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 2187, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

The SPEAKER pro tempore (Mr. HOLDEN). Is there objection to the request of the gentleman from Michigan?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

Mr. PERLMUTTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 434 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 434

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2346) making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit with or without instructions.

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

Mr. PERLMUTTER. Thank you, Mr. Speaker. For purposes of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded is for debate only.

GENERAL LEAVE

Mr. PERLMUTTER. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 434.

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

There was no objection.

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

Mr. Speaker, House Resolution 434 provides for consideration of H.R. 2346, the Supplemental Appropriations Act of 2009. No Member of Congress takes today's vote lightly. In my two terms in Congress, I've had many late nights thinking about our troops who protect all us around the globe—ones who I have met, ones from my district, and others—thinking about how to bring them home safely and responsibly.

Today, we vote to fund them and their efforts in Iraq and Afghanistan. It is not a perfect bill, and it is not the silver bullet which will end the wars within the next year. But it is a responsible plan to support our servicemen and -women and assist them as much as possible.

Mr. Speaker, we cannot fully understand the next steps in Iraq and Afghanistan without looking at the steps our Nation has taken to get here.

In 2001, following the September 11 attacks, Congress authorized President Bush to take action against Afghanistan for harboring and enabling al Qaeda to attack us. We were greeted as liberators for the most part and even had Osama bin Laden cornered in the mountains of Tora Bora.

But in 2002 and 2003, President Bush and others changed the country's focus from the biggest threat to American security to a country which actually posed little threat—that being Iraq.

Ever since that moment, we have been playing catchup in both countries, trying to defeat insurgencies while promoting democracy and economic development, which are precarious at best. Even experts concede achieving these missions simultaneously is difficult.

Last November, Barack Obama and JOHN MCCAIN outlined two very different visions of our future involvement in Iraq and Afghanistan. In Iraq, President Obama's plan involved expeditiously transitioning authority to

the Iraqi Security Forces, promoting economic development, and removing combat troops within a year. This vision is very close to the plan I described to my voters when I was elected to my first term.

In Afghanistan, the plan involved broadening the international coalition, eradicating al Qaeda and the Taliban, empowering women, and providing an increase in troops, is what is provided for in this particular bill.

Knowing full well Barack Obama's military and diplomatic goals in Iraq and Afghanistan, more Americans voted for President Obama and the plans he outlined than they did for Senator MCCAIN or his plans.

Over the course of the past few months, President Obama has put the pieces in place to keep his promise, putting a national security team in place—a bipartisan team at that—of Robert Gates, James Jones, and Hillary Rodham Clinton.

Today's bill is a plan laid out by the President and his bipartisan national security team that finally understands that victory will not be achieved by military might alone.

Many in the House today, on both sides of the aisle, have stated their opposition to this bill before the new President with his new ideas has even had a chance to implement his plan.

President Obama inherited an international mess. American voters chose President Obama and his plan, and it is time that Congress gave our troops the resources they need to complete their assignments.

In my opinion, there are three components to this bill. First: in Iraq, we provide funding for military operations, including $4.8 billion for lightweight mine-resistant vehicles, or MRAPs, and $1.3 billion for IED threat mitigation. The bill also provides $1 billion for economic development in Iraq.

These provisions are essential to President Obama in order to meet his intended date of August 31, 2010, to remove all combat troops from Iraq.

In Afghanistan, we require the President to objectively report to Congress on five critical areas in Afghanistan and Pakistan. Among these are questions of anticorruption efforts, independent security forces, and political consensus. We also provide $1.52 billion in international aid for development of that war-torn country.

Lastly, the bill focuses on our troops and domestic emergencies. We provide funding for H1N1 influenza. We also provide $470 million to address Mexican border violence and drug cartels. We also provide to our troops stop-loss payments in recognition of their additional participation in the wars in the Middle East. These troops who signed up to serve fell victim as part of a backdoor draft—and this bill justly repays them.

Mr. Speaker, today we will have an emotional debate about how our Nation moves forward in Iraq and Afghanistan. The way forward in Iraq and Afghanistan is to vote ''yes'' today. I urge my colleagues to vote ''yes'' on the rule and the underlying bill.

I reserve the balance of my time.

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

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

Mr. DREIER. First, let me express my appreciation to my very good friend from Golden, a hardworking and thoughtful member of the Rules Committee, for yielding me the customary 30 minutes.

Mr. Speaker, I am very pleased that today we will be considering legislation that represents a true bipartisan effort on a critically important issue. The underlying bill, an emergency supplemental funding bill for our troops, was largely developed through bipartisan consensus, and we as Republicans are very happy to have had the opportunity to work with President Obama on this issue.

The President has repeatedly said that he would like to work with Republicans to develop real solutions for the challenges that we face as a country. So far, unfortunately, the Democratic leadership has done a less than perfect job in dealing with the request for bipartisanship, shutting out Republicans and injecting a greater and greater amount of partisanship into the legislative process.

But today we have before us our first real opportunity to come together and work in a bipartisan way. This occasion is all the more significant because the issue at hand is the funding of our troops.

I'm very proud that we're able to demonstrate to the men and women who voluntarily, voluntarily put their lives on the line for our country, that the support for them in Congress is unified and unequivocal. We owe a great debt to them and to their families, and it is very fitting that we should be joining together in this show of support just before Memorial Day.

Our troops in Afghanistan are facing rapidly increasing threats. Our troops in Iraq are working to fully turn responsibility for security over to the Iraqis. Thousands of others are deployed in dangerous places, as we all know, around the world.

We must ensure that they have the resources, protection, and support they need to do their jobs effectively and, as my friend from Golden said in his statement, to come home safely. The underlying appropriations bill will help to ensure just that.

But this is not, by any means, Mr. Speaker, a perfect bill. There are some key improvements that I believe need to be made. Unfortunately, the rule that we are considering today prevents any amendments from being considered. Even amidst this great bipartisan effort, the Democratic leadership has chosen to tarnish the outcome by refusing to allow debate on a number of key issues. Allowing amendments to be debated and considered would enable us to take this important bill and make it even more effective.

One such amendment which my friend and colleague Mr. ROGERS, the gentleman from Kentucky, has offered, would have redirected some funding to very important border security efforts. This is a critical national security issue. Violent drug wars have been escalating, as we all know, on our border for months, and we need to ensure that we have adequate homeland security resources. Unfortunately, Mr. Speaker, this rule does not allow us to ensure the needed additional funding to deal with border security.

Another key issue that must be addressed, as we all know because it has been the center of a great deal of controversy, is the question of how the detention facility at Guantanamo Bay will be shut down.

The President has made it clear that he intends to close this facility, and his administration has already begun to move forward on this. Yet Congress has been presented with no clear plan as to how the facility will be closed and, most important, what will be done with the detainees. Will they be moved to American soil? Tried in jail or—God forbid—released here in the United States?

The Guantanamo detainees include Khalid Sheik Muhammad, mastermind of the 9/11 attacks; Hambali, al Qaeda's operation chief for Southeast Asia who planned the 2002 Bali bombings that killed 200 people; Ahmed Khalfan Ghailani, one of the FBI's most wanted terrorists, who helped plan the 1998 bombings of our embassies at Dar es Salaam and Nairobi.

□ 1230

These are Guantanamo detainees, and we have received no plan for where they will be moved if the facility is shut down. We have received no commitment, no commitment at all, for congressional oversight. This bill should explicitly require planning and consultation with Congress so we can ensure that unacceptable security risks will not be borne by our communities and our constituents.

Republicans have repeatedly raised this issue, Mr. Speaker. Unfortunately, the Democratic leadership, apparently feeling the pressure to address this issue, would like to self-execute an amendment in this rule to the bill that will place restrictions on the process for closing the detention facility at Guantanamo.

But there are two key problems with their approach here, Mr. Speaker. First, the substance of their amendment does not adequately address the risks that we must guard against. It does not guarantee that governors and State legislators will have the final say on whether terrorists can be housed in their States.

Under the Democratic plan, States can be forced to allow the world's most

dangerous terrorists to be held in their communities.

Second, by self-executing this flawed and inadequate amendment, they are circumventing the debate and scrutiny that an issue of this magnitude demands. The issue of bringing committed terrorists onto American soil—not people who perpetrated crimes who are American citizens, but foreign-born terrorists—on American soil should not be dealt with haphazardly, nor cloaked in secrecy. It must be considered extremely carefully, thoroughly, and openly. This rule denies us that opportunity and fails to ensure the protection of Americans.

There are other issues that should be dealt with, Mr. Speaker. The large increase of foreign assistance funding, while important to long-term efforts to combat the roots of terrorism, should not be considered emergency funding. This funding should be included in the regular budget subject to regular budgetary considerations. Designating them as emergency funds just skirts the tough choices that responsible budgeting demands.

All of these issues should be addressed in an open debate with an amendment process, which is standard operating procedure for appropriations. As I said in the Rules Committee yesterday, appropriations bills are considered privileged resolutions. They come straight to the floor. We don't even need to go to the Rules Committee for consideration of appropriations bills. It is done traditionally to simply protect the bill and the work product of the Appropriations Committee, and then allow for an open amendment process.

Fixing these problems, Mr. Speaker, would make a good and important bill all that much more effective. It would allow the legislative process for this bill, which has developed in such a bipartisan way, to finish in the same cooperative spirit in which it began.

During my tenure as chairman of the Rules Committee for 8 years, every single wartime supplemental was considered under an open rule. Not even one has been open over the last 3 years since the new Democratic majority has been in charge. It is very unfortunate that the Democratic leadership once again is trying to thwart the best efforts of President Obama and congressional Republicans to work together and build consensus.

But despite their disdain for bipartisanship and open debate, we as Republicans will join with the President in support of this troop funding bill, and we welcome this opportunity to work with him on this issue.

We sincerely hope that we can continue to come together on other very pressing issues that we will want to address effectively and responsibly in the future.

Mr. Speaker, I am going to urge my colleagues to vote ''no'' on the previous question, and I will be explaining throughout this debate time what it is that we hope to do if we are able to defeat the previous question as it relates to Guantanamo. If by chance we are not successful in defeating the previous question, I urge my colleagues to vote ''no'' on the underlying rule so we can, in fact, continue with the spirit of bipartisanship to make this important bill even better.

I reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I appreciate the comments of my friend from California. I just would like to respond on a couple of matters.

First of all, we hope and expect that this will be the last supplemental that we will have to do in this fashion so that these budgets for our military, whether it is in Iraq or Afghanistan, or elsewhere around the world, are treated within the whole budget.

So I appreciate your comments about that, but this has been a system that we intend to stop. This is the last one. As it was laid out, we left it halfway finished last year.

Second, to my friend from California, I would say that in the spirit of bipartisanship, the chairman of the Appropriations Committee has come up with the rule concerning Guantanamo, or the amendment concerning Guantanamo. Some of the Members of my caucus are going to take real issue with that amendment. They think that it goes too far in terms of giving the President time to develop a plan for releasing or transferring the prisoners who are held at Guantanamo. I know that Members on your side of the aisle think it doesn't go far enough. So in an effort of bipartisanship, the chairman has tried to craft this amendment.

My last point is with respect to the border. There were hundreds of millions of dollars appropriated in the stimulus bill for border protection and border enforcement, and there is even more so in this particular bill.

So three of your points I would like to take issue with. I do appreciate the extension of the hand in bipartisanship.

Mr. DREIER. Would the gentleman yield?

Mr PERLMUTTER. For about 15 seconds. I have a lot of speakers.

Mr. DREIER. On border security, it continues to be a high priority, and the situation has gotten worse since we provided that level of appropriations.

On the issue of Guantanamo, Mr. WOLF, a member of the committee, has come forward with a very thoughtful amendment. We are going to seek to make that in order if we are able to defeat the previous question. I know that the chairman of the committee has said that he doesn't believe that State legislators and governors should be able to preempt Federal law. We know, as Mr. WOLF said in his testimony, that there are a number of States that have already indicated an interest in having an opportunity to receive these detainees.

Mr. PERLMUTTER. Reclaiming my time, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, in 2001 I voted in favor of the resolution to authorize the use of force in Afghanistan to hold to account al Qaeda and the Taliban for their unconscionable and unforgivable acts against our fellow citizens. I would do it again if faced with the same decision.

But after 8 long years, our mission has been vastly expanded and the policy is unclear. It has been a very hard decision to make because I appreciate the good work of Chairman OBEY and many of the items in this bill; but I cannot support the supplemental appropriations bill.

I believe not just the United States but the international community made a promise to the people of Afghanistan, not to the Karzai government, not to the regional powers, but to the people of Afghanistan. We promised that we would stand by them as they rebuilt their country after ousting al Qaeda and the Taliban government that provided these terrorists safe haven.

Everyone I know, including President Obama, keeps telling me that there is no military solution in Afghanistan, only a political solution. And I believe this, too. So I am very concerned when we put billions of dollars into building up the U.S. military presence in Afghanistan without a clear mission and without an exit strategy.

Just as I insisted that the previous administration provide Congress with clear benchmarks and an exit strategy for Iraq, then we should do the same with this administration in Afghanistan. I am not advocating for an immediate withdrawal of our military forces from Afghanistan. All I am asking for is a plan. If there is no military solution for Afghanistan, then please, just tell me how we will know when our military contribution to the political solution has concluded.

I appreciate and I support the required reports on Afghanistan and Pakistan that Chairman OBEY has included in this supplemental. But these reports don't tell us anything about the mission of our service men and women in Afghanistan and how we will know when it is time to bring them home.

I hope, at the very least, at some point in the near future we will have a full and thorough debate about our strategy in Afghanistan. Sadly, that will not happen today.

In preparation for that debate, I have introduced this morning a bill with 73 bipartisan cosponsors that requires the Secretary of Defense to outline for Congress by the end of the year the exit strategy for our military forces in Afghanistan. My bill doesn't withdraw our forces; it doesn't set a definite timetable. It simply asks the Secretary of Defense to outline what our strategy is.

I don't think that it is too much to ask that over the next 7 months the Defense Department tell us what is the

plan for completing our military mission in Afghanistan.

Mr. Speaker, when I first ran for Congress, I promised my constituents that I would never vote to send our servicemen and -women into war without a clearly defined mission, and I am sticking to that promise. I am sick and tired of wars that have no exits, deadlines or an end. We owe our troops and their families much better, and I am deeply concerned about how long we will be able to sustain and pay for an expanded military presence in Afghanistan.

Mr. Speaker, I simply want to know: What is the exit strategy that brings our servicemen and -women home? Until someone gives me a credible answer, I will be voting ''no.''

Mr. DREIER. Mr. Speaker, before I yield to the distinguished ranking member of the Appropriations Committee, I would say to my friend from Worcester that it is very important that he realizes that he should be voting ''no'' on this rule so we can have the kind of debate to which he aspires.

With that, I am happy to yield to the gentleman from California (Mr. LEWIS) for 3 minutes.

Mr. LEWIS of California. I appreciate my colleague from California yielding me this time.

I frankly had hoped that we would be bringing this bill to the floor today, the supplemental, following the traditional pattern of appropriations processes with an open rule so that we could come together and discuss some of these very key issues together in a positive way. And as the ranking member of the Rules Committee said, make what is a very good and bipartisan effort significantly better by addressing a few key issues that indeed are of great concern to the American people.

I would specifically like to mention that the gentleman from Colorado suggested that this is the last supplemental. I am sure that you have watched the House for all of the years you have been here, and I know that you are absolutely convinced that this will be the last supplemental, but I wouldn't want to suggest that others would perhaps consider that to be a bit naive.

But in the meantime, I was most intrigued by another discussion I had with the gentleman in the Rules Committee when we were talking about Guantanamo. Indeed, Guantanamo is an issue that will become of greater and greater concern to the American public as we go forward from here.

The rule does self-enact a proposal by the chairman of the full committee that addresses Guantanamo. There are a number of things it does not, however, address in its language form. And, indeed, an open rule would have allowed us to have discussion of the very thoughtful work done by our Members in the full committee. Those Members' products were rejected on a partisan vote in the appropriations process, unfortunately, and we should have a chance to address them here on the floor.

I would like to share a few things that the chairman's amendment that is in the rule does not do. The rule includes language from Mr. OBEY that, among other things, does not require the administration to conduct a risk assessment of the dangers of releasing Guantanamo detainees into American communities.

It does not require any notification, including the Congress, Governors, State legislators, or local communities, as to when and where detainees will be released outright to the general public after October 1, 2009, and on and on I could go from there.

I was very fascinated by the gentleman from Colorado's reaction. He said that is what our prison system is about. After all, we in Colorado have some serious people in prison; for example, the Unabomber. Well, I would suggest to the gentleman from Colorado, those criminals who are housed in Colorado and other States who are domestics who violated our law in a variety of ways—the Unabomber being a nut case, for example—do not reflect the intensity and commitment of al Qaeda-trained terrorists who absolutely have dedicated their lives to trying to destroy our way of life. Those people in the hundreds potentially being released without any notification to the American public or to our governors and local legislators—it is unacceptable, unacceptable that we follow that path. And because of that, I am going to urge a ''no'' vote on the PQ and a ''no'' vote also on the rule.

□ 1245

Mr. PERLMUTTER. I have to agree with my friend, Mr. LEWIS from California. You're right, there will be other supplementals. The purpose is that these supplementals are not going to become a regular course of business as they have been as it applies to Iraq and Afghanistan.

With respect to your points about the housing of these prisoners, nobody wants these particular prisoners in their State or in their prison system; but on the other hand, we have very unsavory characters from time to time in various prisons across the country. Fort Leavenworth might be an appropriate place. But the amendment, as Mr. OBEY has projected it, is no money within this appropriation will be used for release or transfer. And so the amendment is an attempt to strike a compromise between your concerns and the concerns of our caucus, and that's what this whole process is about.

Mr. DREIER. Would the gentleman yield? I would be happy to yield 30 seconds to my friend from our time if the gentleman would yield.

Mr. PERLMUTTER. I want to yield to my friend from California (Ms. HARMAN) for 2 minutes.

Ms. HARMAN. I thank the gentleman for yielding and tell him we miss him on the Homeland Security Committee.

Mr. Speaker, I am keenly aware of the economic hardship faced by people in my district and all over the country and the heartfelt questions being raised about the costs and policies involved in this bill. After careful review, however, I believe the bill is needed, and the policies it funds reflect a change in direction from failed Bush administration strategies in Iraq, Afghanistan, Pakistan, and the West Bank, all locations I have visited on several trips this past year.

We are ending the combat mission in Iraq, a policy I strongly support. We are also embracing a strategy for Afghanistan, which makes governance, and not projection of military force, the top priority. Mission success there will only come from efforts to eliminate corruption and help the central and local governments provide essential services to the Afghan people; otherwise, that country will revert to a failed state and a safe haven for terrorists intent on attacking the United States and our allies.

Pakistan is even more dangerous because of its huge population, a military larger than ours, and its nuclear arsenal. This bill funds nonmilitary aid and counterinsurgency training to enable Pakistani forces to defeat the growing Taliban threat inside their borders.

A promising security program in the West Bank is also supported, a key building block to a viable and independent Palestinian state. The bill makes explicit that no Palestinian funding will go to Hamas, which continues to rearm and threaten Israel.

For the future, as has been discussed, funding for our troops in harm's way in missions like these will be on budget and fully debated through the regular process in Congress. This is yet another good course correction by the Obama administration, and one I have long advocated.

This is a sound bill and a sound rule. Vote ''aye'' on both.

Mr. DREIER. Mr. Speaker, at this time, I yield 2 minutes to the distinguished ranking member of the Subcommittee on Homeland Security, the author of the very important border security amendment to which I referred earlier, the gentleman from Somerset, Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank my distinguished colleague for yielding.

Mr. Speaker, the border war, if you want to call it that—the war on the border with Mexico—now is more than trying to stop illegal aliens from coming across. It is trying to prevent the flood of drugs coming across and, more importantly, to keep trying to prevent the spillover of the violence between the drug cartels in Mexico competing and fighting for the control of that trade into the U.S. from these drugs and violence from spilling over into the U.S.

Ninety percent of the cocaine coming into this country comes through Mexico, comes across that border. And no wonder the drug cartels in Mexico are warring with each other and the government in Mexico to control that

trade, because there are billions and billions of dollars involved. But already, those drug cartels have infiltrated most of the American cities. Most of the large cities in this country have cells or pieces of that drug cartel organization now in their communities. You read about killings and murders and hostage-taking in places like Birmingham and Atlanta and Chicago and New York—and of course Phoenix—and all of the cities of the West. They're here now.

This bill doesn't contain one penny for the FBI, the Drug Enforcement Administration, the Alcohol, Tobacco and Firearms organization. All of the law enforcement groups in this country are shut out in this bill, and this rule seals it so we can't get into it. And we are ignoring, with our heads in the Cancun sand, the cartels in Mexico that are supplying our young people with their deadly poison.

And so I urge that we defeat the previous question so that we can be allowed to bring these matters to this bill. And then, failing that, I would hope that we would defeat this rule that shuts these matters out.

Mr. PERLMUTTER. Mr. Speaker, I yield 1 minute to my friend from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker and Members, I rise in opposition to this supplemental appropriation. This bill simply continues and amplifies the failed policies that have caused us to be caught up in a continued occupation of Iraq and an increasingly large presence in Afghanistan.

Instead of playing the Taliban shell game and so-called chasing Osama bin Laden, we should devise a smart strategy to win the hearts and minds of the people of Iraq and Afghanistan. They will help us to locate Osama bin Laden. Air strikes that kill innocent civilians will only harden the civilians against us.

The Taliban are leading us into Pakistan, where we are on the verge of a new footprint, after giving the former President Musharraf billions of dollars while he was playing footsie with the Taliban and allowing them to control the border between Afghanistan and Pakistan. Now President Zardari has proven to be weak and ineffective, yet we're rewarding him with more of our tax dollars.

There are two good amendments that should have been made in order: the McGovern amendment, which would require a simple exit strategy, and the Tierney amendment, which would have placed conditions on any additional dollars given to Pakistan.

We should be taking over the madrassas, rebuilding infrastructures, and building democratic institutions that will support long-term sustainability in these countries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. DREIER. Mr. Speaker, at this time, I am happy to yield 1 minute to the distinguished Republican leader, our friend from West Chester, Ohio (Mr. BOEHNER).

Mr. BOEHNER. I thank the gentleman for yielding.

Mr. Speaker and my colleagues, I told the President that when he does what we agree with, in terms of what is right for the American people, we would be there to support him. The President has made very responsible decisions with regard to this mission in Iraq and a gradual withdrawal of our troops, and I believe that his decisions with regard to his plans in Afghanistan are sound. It is clear that the President listened to the commanders on the ground and our diplomats and is engaged in an effort to win our battle against the terrorists who threaten the United States and our citizens.

One of those decisions that he also made was a decision to send up to the House a clean bill asking for funding for our troops. I believe this bill provides those resources and, just as importantly, does not include politically motivated restrictions that would hamstring our commanders in the field.

Republicans support the underlying bill, and I think it deserves support from Members on both sides of the aisle. But let's be very clear; we will be watching very closely in the weeks to come as some may try to load this bill up with unrelated spending or language that would undermine our troops. That includes potential money for the International Monetary Fund. That should be debated on its own merits, and not as part of a troop funding bill for our men and women who are in harm's way.

I am also pleased that the $80 million in funding to transfer Guantanamo prisoners from the United States was removed from this bill. It deserved to be removed. And I will once again ask a very important question: What is the administration's plan for those prisoners who are being held at our detention facility? Will they release or transfer them and allow them to come to American soil? I don't know of any community or neighborhood in America that would want them.

The language inserted by Chairman OBEY in this bill on this issue, I think, is inadequate. It will do nothing more than to provide cover, pure and simple. And the fact is, there is nothing in this legislation that will keep Guantanamo terrorists out of America, nothing. And I think that we can and should do better.

Our solution is the Keep Terrorists Out of America Act. Our plan, I think, does what the American people overwhelmingly want. It ensures that those terrorists are not transferred or released into our communities, and Members on both sides of the aisle have spoken out against the release of those prisoners in our country.

The gentleman from Virginia (Mr. WOLF) offered similar language in the Appropriations Committee where it was defeated. I believe, as we get into the previous question on this rule, that we also defeat the previous question and allow the gentleman from Virginia (Mr. WOLF) to offer his language on this bill.

So I would encourage Members to vote ''no'' on the previous question. Let's have a fair and open debate on this issue and allow Members the opportunity to allow the House to work its will, but I understand that the underlying bill does, in fact, deserve our support.

Mr. PERLMUTTER. Mr. Speaker, I yield 90 seconds to my friend from Nevada, Congresswoman BERKLEY.

Ms. BERKLEY. I thank the gentleman from Colorado.

Mr. Speaker, I rise today in support of this rule and the underlying bill, but deeply concerned with the funding to the Palestinian Authority and to rebuild Gaza. By giving this money, I believe we are sending precisely the wrong message that Hamas can partner with Iran, attack Israel with impunity, and refuse to recognize Israel's right to exist, all the while the United States will provide aid no matter what. Talk about the soft bigotry of low expectations.

At the very least, we should use our aid to help modify the behavior of Hamas. Before we send more money to the Gaza, more money to the Palestinian Authority, all Palestinian factions should recognize Israel's right to exist as a Jewish state, renounce terrorism, respect past agreements, and release Gilad Shalit, the young Israeli soldier who was kidnapped by Hamas and who has been held captive in the Gaza for almost 3 years. Without these conditions, we are simply writing the Palestinians another blank check to continue their self-destructive and violent behavior.

So while I support the rule and the bill, I have serious reservations about funding this and urge my colleagues that we not continue this pattern of rewarding unacceptable behavior in the future.

Mr. DREIER. Mr. Speaker, at this time, I am happy to yield 2 minutes to another hardworking member of the Committee on Appropriations who had an amendment dealing with Guantanamo Bay, but unfortunately, with the structure we've got, it won't be made in order, the gentleman from Goddard, Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from California for his tremendous leadership.

Mr. Speaker, when approaching national security issues, Congress has always acted in a prudent bipartisan manner to protect the American people. Last week, however, in a straight party-line vote in the Appropriations

Committee, Democrats rejected both Republican alternatives to prevent terrorists held at Guantanamo Bay from getting a plane ride to the United States. Then yesterday, the Democrats on the Rules Committee rejected my amendment to prohibit terrorist detainees from being transferred or released in the United States. Speaker PELOSI and her leadership team are refusing an up-or-down vote. Do we allow hardened terrorists to be transported to the United States knowing that eventually some will be released to the streets of America?

Democrats have instead offered a fig leaf. Their provision simply delays; it does not prevent. It delays the Obama administration's plan to release terrorists onto our streets.

□ 1300

The administration has already authorized the release of 30 detainees. This is not conjecture. This is not speculation. This is happening. And unfortunately my colleagues are simply delaying the real problem. Seventy-five percent of the population do not want terrorists released in the United States, and 20 percent don't even realize it's a possibility.

Congress should not abdicate its responsibility to provide for the common defense of this Nation. We should be able to speak on this issue. Americans deserve an up or down vote on the question, do we welcome terrorists on the streets of America or not? This will simply sweep the question under the rug, hoping the problem will go away.

The gentleman from Colorado mentioned that we could send them to Fort Leavenworth. I have been to Fort Leavenworth. I am from Kansas. We do not want terrorists in Fort Leavenworth or in Kansas, and I don't want them on any street in America.

So I think it's only fair that we reject this rule and give us an up or down vote on whether we want a plane ticket for terrorists to get from Guantanamo to America.

I would encourage my friends to vote ''no'' on the previous question to allow Mr. WOLF an opportunity to present his language and vote ''no'' on the rule so we can have a chance for an up or down vote on whether we bring terrorists into our Nation.

Mr. PERLMUTTER. Mr. Speaker, my friend from Kansas, I know, knows full well that it says in the amendment, ''None of the funds made available in this or any prior act may be used to release an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, into the continental United States, Alaska, Hawaii, or the District of Columbia.''

That's what the amendment says. That's what is part of this bill.

I would now like to yield 1 minute to my friend from Ohio (Mr. KUCINICH).

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

Mr. KUCINICH. America went to war against Iraq based on a lie. We were told in 2002 Iraq had weapons of mass destruction. The previous administration even pursued torture to try to extract false confessions to try to justify the war.

It's time to tell the truth. The truth is, we should not have prosecuted the war against the Iraqi people. The truth is, the Democratic Senate could have stopped the Iraq war in 2002. The truth is, we Democrats were given control of Congress in 2006 to end the war. The truth is, this bill continues a disastrous war which has cost the lives of thousands of our soldiers. The truth is, the occupation has fueled the insurgency. The truth is, the Iraq war will cost the American and the Iraqi people trillions of dollars.

As many as 1 million innocent Iraqis have lost their lives as a result of this war. Don't tell the American people you're ending the war by continuing to fund the war. Don't tell the American people that the war will end when their plans leave 50,000 troops in Iraq. Don't tell the American people that the way out of Afghanistan is to escalate and more counterinsurgency.

Get out of Iraq. Get out of Afghanistan. Come home, America. Come home.

I rise in strong opposition to H.R. 2346, War Supplemental Appropriations for FY 2009. This bill devotes an additional $84.5 billion to military operations in Iraq and Afghanistan for fiscal year 2009. I believe that the U.S. has a moral obligation to fulfill in Iraq and Afghanistan. We must remain dedicated to reconstruction, stability and prosperity in these countries and in the region.

The U.S. cannot be in and out of Iraq at the same time. The U.S. has agreed to withdraw all combat troops from Iraqi cities by July of this year. However, recent news reports indicate that some combat troops will remain beyond this date. Our continued funding of war operations in Iraq only ensures our continued presence and undermines our stated goals for withdrawal by 2011. Funds for Iraq should be dedicated to bringing all of our troops and contractors home. We must meet our moral obligation to rebuild Iraq and support viable solutions to the refugee and internally displaced populations. We must hold ourselves responsible for the death of over 1 million innocent civilians in Iraq.

Funding of expanded combat operations in Afghanistan will not meet the security objectives of the U.S. Sending additional brave American service members to Afghanistan does not increase security and it is not an act of diplomacy. Sending additional troops sends one message: The U.S. is ramping up combat operations. This message only encourages the Taliban and other insurgent groups to do likewise. We have ensured that the months and perhaps years ahead will be bloody. And we have failed to present an exit strategy.

Bombing raids and drone attacks in Afghanistan and Pakistan have inflamed the civilian populations in these countries. Innocent civilians are killed in these massive and unpredictable attacks. This includes innocent children, mothers, fathers, grandparents, sisters and brothers. Communities, homes and infrastructure are destroyed. The number of refugees and the internally displaced continue to rise from the destruction.

The brutalities of war produce more than news reports of so-called ''collateral damage.'' Taliban and insurgent recruitment profits from these failed policies. The drone attacks are propagating extremism in the targeted areas. Former Chief of Staff to Colin Powell maintains that drone attacks are not an effective counterinsurgency technique. If the Administration will not stop the drone attacks, Congress must use the power of the purse to ensure their cessation.

Ninty percent of the resources devoted to Afghanistan over the last eight years have gone to support military resources. This is contrary to the counter-insurgency strategy put forth by General Petraeus that calls for an 80–20 split, that devotes 80 percent of resources to political solutions and only 20 percent of resources to military operations. General Eaton, who trained Iraq Security Forces in 2004, has echoed this strategy. This bill fails to correct the imbalance and continues the failed status quo.

We need to provide for the traditional sense of security by first ensuring economic security, health security, and job security for all. The roots of terrorism begin not in hatred, but in desperation. All people seek the basic necessities such as food, clothes, shelter, good health, and the ability to earn a decent living. If we can level this playing field, there is no desperation that may potentially evolve into hatred. We have failed to meet these objectives in Afghanistan.

Stability in Afghanistan requires that aid dollars reach local Afghans, Afghan institutions and organizations. The current instability of Afghan institutions must be replaced with strong education and health care systems, judiciary and law enforcement systems, workforce development and transportation systems. These institutions must be built and run by Afghans. The current practice by which foreigners fill high-skill and high-level positions will leave Afghanistan without the skills and leaders to ensure sustainable, long-term stability in the country.

The U.S. must partner with Afghans to empower women and girls. Currently, one in six women die in childbirth in Afghanistan; 80% of women are illiterate; and development assistance has not reached Afghan women. We can encourage and foster reform by investing in Afghan institutions that create educational, economic, social and political opportunity for women.

National security will not be achieved through military might but rather through our dedication to supporting Afghans as they build a foundation of human security, social security and economic security.

Security cannot blossom from the ravages of war. Terrorism will not be stopped by acts of terror.

[From the Nation, May 12, 2009]

THE POLITICS OF ESCALATION

(By Tom Hayden and Joseph Gerson)

Congressional leaders are cooperating with the Obama administration in quashing any serious criticism of growing military escalation in Afghanistan and Pakistan.

Indications are that there will be no benchmarks or conditions set on the $96 billion supplemental appropriation before Congress beginning this week. The administration, which once promised no more rushed supplemental appropriation, is rolling funds for war and swine flu into one package, while not yet disclosing how much is earmarked

specifically for Afghanistan. Rep. David Obey says he wants to give the Obama administration a one-year deadline for results, which likely means making it more difficult to withdraw from a deepening quagmire.

The only current Congressional vehicle for dissent is a proposed amendment by Rep. Jim McGovern (D–Mass) that requires the secretary of defense to report on an exit strategy from Afghanistan by this December, six months after Congress has appropriated funds for escalating the war. Even that modest measure, with fifty co-sponsors at present, has met with administration resistance to an exit strategy with benchmarks.

House Speaker Nancy Pelosi, under fire for what she knew about Guantánamo waterboarding and when she knew it, is going along with the administration by preventing the McGovern amendment from being voted on. Congressional leaders believe that war opponents are not sufficiently powerful to either require a vote on the McGovern measure to achieve more than two hours of debate on the supplemental, which could also include soliloquies on the swine flu.

The Congressional Progressive Caucus has met with President Obama and, according to sources attending, will not be opposed at this point to his Afghanistan-Pakistan policies. Instead, the caucus is sponsoring a series of informational hearings on public policies for the region.

The Senate, with the possible exception of Sen. Russ Feingold, is not expected to question the Obama policies, either.

Insiders say the dominant message behind closed doors is a political one, not to embarrass the president. On policy, one knowledgeable expert reports, doubt is widespread in Congress and ''no one has any idea where it will all end.''

The desire to protect the resident may shy Democrats away from demands that were routinely made of the Bush administration: requiring regular reports on an exit strategy, transparency in the budgets for war, clear definitions of casualty levels on all sides, application of human rights standards in detention centers, and others.

It is understandable that the economic crisis and high expectations for the new president have deflected Congressional Democrats away from their oversight role. As the quagmire deepens, however, antiwar questioning will rise again. The danger is that by then the Obama administration will be engulfed in the politics of escalation, as happened to earlier Democratic presidents.

AFGHANISTAN

(By Chris Hedges)

The bodies of dozens, perhaps well over a hundred, women, children and men, their corpses blown into bits of human flesh by iron fragmentation bombs dropped by U.S. warplanes in a village in the western province of Farah, illustrates the futility of the Afghan war. We are not delivering democracy or liberation or development. We are delivering massive, sophisticated forms of industrial slaughter. And because we have employed the blunt and horrible instrument of war in a land we know little about and are incapable of reading, we embody the barbarism we claim to be seeking to defeat.

We are morally no different from the psychopaths within the Taliban, who Afghans remember we empowered, funded and armed during the 10-year war with the Soviet Union. Acid thrown into a girl's face or beheadings? Death delivered from the air or fields of shiny cluster bombs? This is the language of war. It is what we speak. It is what those we fight speak.

Afghan survivors carted some two dozen corpses from their villages to the provincial capital in trucks this week to publicly denounce the carnage. Some 2,000 angry Afghans in the streets of the capital chanted ''Death to America!'' But the grief, fear and finally rage of the bereaved do not touch those who use high-minded virtues to justify slaughter. The death of innocents, they assure us, is the tragic cost of war. It is regrettable, but it happens. It is the price that must be paid. And so, guided by a president who once again has no experience of war and defers to the bull-necked generals and militarists whose careers, power and profits depend on expanded war, we are transformed into monsters.

There will soon be 21,000 additional U.S. soldiers and Marines in Afghanistan in time for the expected surge in summer fighting. There will be more clashes, more airstrikes, more deaths and more despair and anger from those forced to bury their parents, sisters, brothers and children. The grim report of the killings in the airstrike, issued by the International Committee of the Red Cross, which stated that bombs hit civilian houses and noted that an ICRC counterpart in the Red Crescent was among the dead, will become familiar reading in the weeks and months ahead.

We are the best recruiting weapon the Taliban possesses. We have enabled it to rise from the ashes seven years ago to openly control over half the country and carry out daylight attacks in the capital Kabul. And the war we wage is being exported like a virus to Pakistan in the form of drones that bomb Pakistani villages and increased clashes between the inept Pakistani military and a restive internal insurgency.

I spoke in New York City a few days ago with Dr. Juliette Fournot, who lived with her parents in Afghanistan as a teenager, speaks Dari and led teams of French doctors and nurses from Mdecins Sans Frontires, or Doctors Without Borders, into Afghanistan during the war with the Soviets. She participated in the opening of clandestine cross-border medical operations missions during 1980 and 1982 and became head of the French humanitarian mission in Afghanistan in 1983. Dr. Fournot established logistical bases in Peshawar and Quetta and organized the dozen cross-border and clandestine permanent missions in the resistance-held areas of Herat, Mazar-i-Sharif, Badakhshan, Paktia, Ghazni and Hazaradjat, through which more than 500 international aid workers rotated.

She is one of the featured characters in a remarkable book called ''The Photographer,'' produced by photojournalist Didier Lefvre and graphic novelist Emmanuel Guibert. The book tells the story of a three-month mission in 1986 into Afghanistan led by Dr. Fournot. It is an unflinching look at the cost of war, what bombs, shells and bullets do to human souls and bodies. It exposes, in a way the rhetoric of our politicians and generals do not, the blind destructive fury of war. The French humanitarian group withdrew from Afghanistan in July 2004 after five of its aid workers were assassinated in a clearly marked vehicle.

''The American ground troops are midterm in a history that started roughly in 1984 and 1985 when the State Department decided to assist the Mujahedeen, the resistance fighters, through various programs and military aid. USAID, the humanitarian arm serving political and military purposes, was the seed for having a different kind of interaction with the Afghans,'' she told me. ''The Afghans were very grateful to received arms and military equipment from the Americans.''

''But the way USAID distributed its humanitarian assistance was very debatable,'' she went on. ''It still puzzles me. They gave most of it to the Islamic groups such as the Hezb-e Islami of [Gulbuddin] Hekmatyar. And I think it is possibly because they were more interested in the future stability of Pakistan rather than saving Afghanistan. Afghanistan was probably a good ground to hit and drain the blood from the Soviet Union. I did not see a plan to rebuild or bring peace to Afghanistan. It seemed that Afghanistan was a tool to weaken the Soviet Union. It was mostly left to the Pakistani intelligence services to decide what would be best and how to do it and how by doing so they could strengthen themselves.''

The Pakistanis, Dr. Fournot said, developed a close relationship with Saudi Arabia. The Saudis, like the Americans, flooded the country with money and also exported conservative and often radical Wahhabi clerics. The Americans, aware of the relationship with the Saudis as well as Pakistan's secret program to build nuclear weapons, looked the other way. Washington sowed, unwittingly, the seeds of destruction in Afghanistan and Pakistan. It trained, armed and empowered the militants who now kill them.

The relationship, she said, bewildered most Afghans, who did not look favorably upon this radical form of Islam. Most Afghans, she said, wondered why American aid went almost exclusively to the Islamic radicals and not to more moderate and secular resistance movements.

''The population wondered why they did not have more credibility with the Americans,'' she said. ''They could not understand why the aid was stopped in Pakistan and distributed to political parties that had limited reach in Afghanistan. These parties stockpiled arms and started fighting each other. What the people got in the provinces was miniscule and irrelevant. And how did the people see all this? They had great hopes in the beginning and gradually became disappointed, bitter and then felt betrayed. This laid the groundwork for the current suspicion, distrust and disappointment with the U.S. and NATO.''

Dr. Fournot sees the American project in Afghanistan as mirroring that of the doomed Soviet occupation that began in December 1979. A beleaguered Afghan population, brutalized by chaos and violence, desperately hoped for stability and peace. The Soviets, like the Americans, spoke of equality, economic prosperity, development, education, women's rights and political freedom. But within two years, the ugly face of Soviet domination had unmasked the flowery rhetoric. The Afghans launched their insurgency to drive the Soviets out of the country.

Dr. Fournot fears that years of war have shattered the concept of nationhood. ''There is so much personal and mental destruction,'' she said. ''Over 70 percent of the population has never known anything else but war. Kids do not go to school. War is normality. It gives that adrenaline rush that provides a momentary sense of high, and that is what they live on. And how can you build a nation on that?''

The Pashtuns, she noted, have built an alliance with the Taliban to restore Pashtun power that was lost in the 2001 invasion. The border between Pakistan and Afghanistan is, to the Pashtuns, a meaningless demarcation that was drawn by imperial powers through the middle of their tribal lands. There are 13 million Pashtuns in Afghanistan and another 28 million in Pakistan. The Pashtuns are fighting forces in Islamabad and kabul they see as seeking to wrest from them their honor and autonomy. they see little difference between the Pakistani military, American troops and the Afghan army.

Islamabad, while it may battle Taliban forces in Swat or the provinces, does not regard the Taliban as a mortal enemy. The enemy is and has always been in India. The

balance of power with India requires the Pakistani authorities to ensure that any Afghan government is allied with it. This means it cannot push the Pashtuns in the Northwest Frontier Province or in Afghanistan too far. It must keep its channels open. The cat-and-mouse game between the Pakistani authorities and the Pashtuns, which drives Washington to fury, will never end. Islamabad needs the Pashtuns in Pakistan and Afghanistan more than the Pashtuns need them.

The U.S. fuels the bonfires of war. The more troops we send to Afghanistan, the more drones we send on bombing runs over Pakistan, the more airstrikes we carry out, the worse the unraveling will become. We have killed twice as many civilians as the Taliban this year and that number is sure to rise in the coming months.

''I find this term 'collateral damage' dehumanizing,'' Dr. Fournot said, ''as if it is a necessity. People are sacrificed on the altar of an idea. Air power is blind. I know this from having been caught in numerous bombings.''

We are faced with two stark choices. We can withdraw and open negotiations with the Taliban or continue to expand the war until we are driven out. The corrupt and unpopular regimes of Hamid Karzai in Afghanistan and Asif Ali Zardari are impotent allies. The longer they remain tethered to the United States, the weaker the become. And the weaker they become, the louder become the calls for intervention in Pakistan. During the war in Vietnam, we invaded Cambodia to bring stability to the region and cut off rebel sanctuaries and supply routes. This tactic only empowered the Khmer Rouge. We seem poised, in much the same way, to do the same for radical Islamists in Afghanistan and Pakistan.

''If the Americans step up the war in Afghanistan, they will be sucked into Pakistan,'' Dr. Fournot warned. ''Pakistan is a time bomb waiting to explode. You have a huge population, 170 million people. There is nuclear power. Pakistan is much more dangerous than Afghanistan. War always has its own logic. Once you set foot in war, you do not control it. It sucks you in.''

Mr. DREIER. Well, I guess for a different reason my friend from Ohio is going to be joining us in opposition to this rule, and I very much appreciate that.

Mr. KUCINICH. Will the gentleman yield?

Mr. DREIER. Of course I am happy to yield.

Mr. KUCINICH. Well, of course I will be voting against the rule. I want the war to end.

Mr. DREIER. I understand. I appreciate the gentleman joining us, as I say, for a somewhat different reason than ours. We all want this war to end, there's no doubt about that, but we also want to ensure success.

With that, I am happy to yield 2 minutes to my very good friend from Hinsdale, Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this closed rule. I offered an amendment yesterday to address an injustice against the members of our armed services that were shut out by this proposed rule.

Briefly, my amendment would have increased the across-the-board military personnel pay for 2009 from 3.9 percent to 4.4 percent. This pay raise would have been effective retroactively from January 1, 2009.

According to estimates by the Congressional Research Service, the pay gap between military personnel and civilians in comparable positions is 3 percent. Particularly during a recession, it is unacceptable that our men and women in uniform receive less than their civilian counterparts.

I was just in Afghanistan over the weekend and had the opportunity to meet and work with the wonderful committed and professional group of men and women in the military. They've been serving us to keep us safe and to establish the stability in the Middle East. But given this shortfall in pay, I thought it was appropriate to provide for our troops some supplemental income in this supplemental appropriations bill. Unfortunately this rule would not even allow an up or down vote on my amendment.

Mr. Speaker, I cannot support this continued abuse of process. I urge my colleagues to oppose this rule.

Mr. DREIER. Will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

I would like to say, the gentlewoman has offered an extraordinarily thoughtful amendment which reaffirms our dedication to our men and women in uniform. Especially as Memorial Day approaches, it seems to me that we should have an open amendment process that would allow us to fully debate the Biggert amendment. And it saddens me that this structure around which we are considering this issue is so restricted.

I thank my friend for yielding.

Mrs. BIGGERT. I thank you.

Mr. PERLMUTTER. Mr. Speaker, how much time does each side have?

The SPEAKER pro tempore. The gentleman from Colorado has 13½ minutes remaining and the gentleman from California has 10½ minutes remaining.

Mr. PERLMUTTER. I would like to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I have so many concerns about this supplemental, I don't know where to start. But I'm going to start at one point. And I believe the most important point is, this supplemental keeps us involved in Iraq, and it sets up an unending occupation of Afghanistan.

The cost of the supplemental is just too great without a defined stated mission, without redeployment plans. We're going to look at an endless military presence in Afghanistan. That will just serve to fuel anti-Americanism throughout the region, and it will continue to promote the instability.

Sadly, the rule does not provide Members a chance to remedy the situation. Proposals providing accountability and transparency from my colleague BARBARA LEE, from JIM MCGOVERN, from JOHN TIERNEY actually haven't had a chance for an up or down vote. It could have made a difference when we voted on the floor today.

The American people deserve much better than that. I urge my colleagues to oppose this funding and promote a foreign policy based on SMART security, humanitarian assistance, development and diplomacy.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 2 minutes to a hardworking new Member with a very, very distinguished career in public service, the gentleman from Aurora, Colorado (Mr. COFFMAN).

Mr. COFFMAN of Colorado. I thank the gentleman from California (Mr. DREIER) who has said, and I agree with him, that we can make this bill a better bill if we open up the amendment process. I certainly agree with my colleague from the great State of Colorado (Mr. PERLMUTTER) who says that this is not a perfect bill.

One provision of this bill gives U.S. taxpayer dollars to the Gaza Strip in the aftermath of the fighting between Israel and Hamas for reconstruction aid. It does this by giving $119 million to the United Nations. In 2004 Peter Hansen, then commissioner-general of the United Nations Relief and Works Agency remarked that, ''I am sure that there are Hamas members on our payroll, and I don't see that as a crime. Hamas as a political organization does not mean that every member is a militant. And we do not do political vetting and exclude people from one persuasion against another.''

Hamas is a U.S.-designated foreign terrorist organization. The United Nations might not consider having Hamas members on their payroll a problem, but it certainly is a problem for the United States and Israel.

The supplemental before us provides up to $119 million to the United Nations Relief and Works Agency to spend in Hamas-controlled Gaza, which means that Hamas members on the U.N. payroll will effectively be on the U.S. payroll.

I intend to vote against this rule because it does not allow the chance to amend this provision. I filed an amendment that would have instead provided $119 million for humanitarian relief to go to USAID. The rule before us would bar this amendment from being offered.

I appreciate the attempt at additional oversight placed on the U.N. in this supplemental, but it is simply too little too late.

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

Mr. DREIER. I yield the gentleman 30 additional seconds.

Mr. COFFMAN of Colorado. Thank you.

I wrote Secretary Clinton in March, along with 21 of my colleagues, noting there is no way to spend money in Gaza without inappropriately benefiting Hamas. Unfortunately out of the several ways to save money that might inappropriately benefit Hamas, we are choosing one of the worst.

Mr. Speaker I would urge a ''no'' vote on the previous question and a ''no'' vote on the rule.

Mr. PERLMUTTER. Mr. Speaker, to my friend from Colorado, it's good to see you here.

I would just say on page 55 of the bill, there is a provision that says that no funding, no assistance is to be provided to or through any individual, or private or government entity, that advocates, plans, sponsors, engages in, or has engaged in, terrorist activity.

With that, I would like to yield 1 minute to my friend from California (Ms. LEE).

Ms. LEE of California. I thank the gentleman for yielding. Also let me thank Chairman OBEY and Chairman MURTHA for their hard work on this bill and for including provisions that I offered, prohibiting the establishment of permanent bases in Iraq and Afghanistan.

I opposed the 2001 resolution authorizing the use of force because it gave President Bush and any future President an open-ended blank check to wage war anywhere on the globe, starting in Afghanistan.

Nearly 8 years later, I continue to oppose the supplemental appropriations bills for the wars in Afghanistan and Iraq because it continues us down the wrong path and can lead to war without end. Unfortunately this will continue to happen if we don't repeal that 2001 authorization.

I oppose this $94 billion supplemental because it favors military activities over diplomatic, development and reconstruction efforts by a ratio of 9–1. Afghanistan will not be stabilized through military action.

As noted by the Carnegie Endowment, the presence of foreign troops is the most important element driving the resurgence of the Taliban. This is counter to our national security interests. This does not include an exit plan for Afghanistan. It does not fully fund the redeployment of troops out of Afghanistan.

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

Mr. PERLMUTTER. Mr. Speaker, I would like to yield my friend 30 additional seconds.

Ms. LEE of California. Thank you very much for yielding.

This does not prohibit the drone attacks. It does not include a strong regional approach, which the situation demands, including a strong nuclear nonproliferation effort in Pakistan.

The supplemental appropriations bill does not reflect a new direction. Therefore, I cannot support it.

Let me just mention that our friend and colleague Congressman PETE STARK is unable to be here today for this important debate. So I wish to conclude by reading one sentence from his statement. He said, ''President Obama is moving America's foreign policy in a better direction, and he has shown superior judgment to President Bush on when we should send our troops into harm's way. However, I cannot support any more funding for these wars.''

Mr. DREIER. May I inquire of the Chair how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 8 minutes remaining, and the gentleman from Colorado has 10¾ minutes remaining.

Mr. DREIER. May I inquire of my colleague how many speakers he has remaining on his side of the aisle?

Mr. PERLMUTTER. I have at least three.

Mr. DREIER. Mr. Speaker, in light of that, I would ask my friend to proceed, and I would like to reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I would like to yield 1 minute to my friend Mr. PERRIELLO from Virginia.

Mr. PERRIELLO. Mr. Speaker, I rise today as someone who was very critical from the beginning of the Iraq war but nonetheless am supportive of the supplemental before us.

I believe we stand at a promising moment, a promising moment in terms of the trends in Iraq and a promising moment in terms of having a leader in the White House who understands the challenges before us to get Afghanistan right.

Having been on the ground there in previous years, I can assure you that the questions that were not being asked before are being asked now. It's not going to be an easy struggle there. But I say to my more progressive colleagues who are very critical of this that we should give ourselves a little credit. The era of arbitrary power in the Bush doctrine really ended with the '06 election. A new period of smart power, led with General Petraeus and Secretary Gates, has moved us in a direction of real national security, not Hollywood security. This is an important move, and it's a move that continues today.

That change was only solidified by the 2008 election. We have people who are deadly serious about getting national security right in Iraq and Afghanistan, who understand the military's job is to back up a political solution and are looking for that, who understand that we cannot solve the situation in Afghanistan without dealing with corruption internally.

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

Mr. PERLMUTTER. I would like to extend my friend 30 additional seconds.

Mr. PERRIELLO. We will not solve Afghanistan without dealing with corruption internally and with Pakistan externally. And finally, we have a President who's negotiating from a position of strength, not weakness, unlike the last two administrations.

So I rise today with a grave seriousness about the supplemental before us but also a sense that we're on the right track with this new national security strategy. I believe that it is the right thing to do to support it.

□ 1315

Mr. DREIER. I reserve my time, Mr. Speaker.

Mr. PERLMUTTER. I would like now to yield 1 minute to my friend from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today in opposition to the underlying supplemental appropriations bill. Frankly, I am undecided on the rule.

I returned from Afghanistan just a couple of days ago, and I could see firsthand the passion and commitment of our servicemen and -women, our diplomats and other civilians. But I want them to know that this debate that we are having here today is not about them. It is about the direction that we need to proceed. I saw the commitment and courage of Afghan women to build a future for their country. But this supplemental appropriations bill will not get us there. Let me quote, ''Given its terrain, poverty, neighborhood and tragic history, Afghanistan in many ways poses an even more complex and difficult long-term challenge than Iraq, one that, despite a large international effort, will require a significant U.S. military and economic commitment for some time.'' Those are the words of Secretary Robert Gates, and not my own.

And yet here we are today prepared to commit our servicemen and -women to a war without end, placing them in harm's way without a plan for being there and a strategy for leaving Afghanistan. I understand that we want to give our President an opportunity to work out a mess that he inherited but did not create. Unfortunately, this Congress and this President have to be honest with the American people——

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

Mr. PERLMUTTER. I yield the gentlewoman 30 additional seconds.

Ms. EDWARDS of Maryland. We have to be honest with the American people that this is not an in-and-out military operation. Winning requires a long-term, sustained commitment to turn 90 percent illiteracy to literacy, grow food products instead of producing heroin and opium, build a civil society and rule of law. We need a plan while we are there and a strategy for leaving. We don't have it. And I will be voting against the supplemental.

Mr. DREIER. Mr. Speaker, I would just like to again inquire of my friend, does he have two speakers remaining?

Mr. PERLMUTTER. I have three speakers remaining.

Mr. DREIER. I will reserve.

The SPEAKER pro tempore. Both sides have 8 minutes remaining.

Mr. PERLMUTTER. I would like to yield 2 minutes to my friend from Ohio, Congresswoman SUTTON.

Ms. SUTTON. Mr. Speaker, I thank the gentleman for yielding me the time and for his leadership. Today we consider the last war supplemental providing funding for our troops in Iraq and Afghanistan. However, I am deeply

concerned that this bill does not have an exit strategy for military operations in Afghanistan. Out of fairness to our brave soldiers, we cannot have an open-ended strategy. And I support the bill introduced by Representative JIM MCGOVERN to require one.

This bill does have some provisions in it that I support. Since October of 2001, approximately 160,000 soldiers have been subject to stop-loss orders, serving on involuntary extended tours of duty.

Last June, I introduced the Stop-Loss Compensation Act to ensure that all our soldiers affected by the policy would be properly compensated. And last fall we took the first step toward fulfilling our duty to these brave soldiers by including stop-loss compensation for fiscal year 2009 in the continuing resolution. But today I am proud that we will extend the $500-a-month payments to all 160,000 soldiers that have been affected by stop-loss since 2001.

And, Mr. Speaker, on the home front, our firefighters who answer the call of duty in communities throughout this country are often the first on the scene and the last to leave. Because of the current recession, a lot of communities, including the community of Elyria in my district, are being forced to lay off firefighters, resulting in staffing levels that are too low.

I am proud to say that we have worked on language to include in this bill that will allow SAFER grants to be used to rehire and retain much-needed firefighters. The Elyria Fire Department has already informed me that with this change, they plan to apply for a SAFER grant to reinstate the 10 firefighters who were laid off last month.

This bill will help us ensure that stop-loss payments for those who protect us overseas will be properly given and to ensure the adequate staffing for those who protect us at home.

Mr. DREIER. Mr. Speaker, I will inquire again of my friend.

Mr. PERLMUTTER. I have two more. I have two 1-minute speakers.

Mr. DREIER. Then you will close. I will reserve the balance of my time.

Mr. PERLMUTTER. I would yield 1 minute to my friend from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, ''mission accomplished.'' If this were so, then continuous funding for combat is not needed. However, resources for our military withdrawal is. The supplement as a means of financial support for continuing conflict is a very deceptive technique. Funding should be in the budget since it appears that there is no end to the conflict in Iraq. Combining food assistance, AIDS, farm loan programs, refugee assistance in this bill will give the bill the votes needed for passage. But humanitarian issues should be in separate legislation. They are too important to be dumped in this bill.

To make my point, I will not vote for any war funding that deprives my constituents of the domestic funding needed to improve their lives. The rule is the passageway for this injustice.

Mr. DREIER. Mr. Speaker, let me, at this time, yield 4 minutes to the extraordinarily patient author of the amendment about which we have been speaking dealing with the issue of Guantanamo, my good friend and classmate from Vienna, Virginia (Mr. WOLF).

Mr. WOLF. I want to thank Mr. DREIER for the time.

I rise in opposition to the rule. I had an amendment which dealt with the Guantanamo Bay issue. And let me sort of lay it out. There are several issues really involved. One, there are Uyghur detainees at Guantanamo Bay that Eric Holder was prepared to release into the United States. This is not a Khalid Sheik Mohammed that we are transferring to release in the neighborhoods in the United States.

Who are the Uyghur detainees? They are members of a group called the Eastern Turkistan Islamic Movement. Many of them have been trained in al Qaeda training camps in Tora Bora. Now, that is something that the American people should know. Also, their leader is a man named Abdul Haq. Haq is on the terrorist list of the U.N. The Obama administration also put him on their terrorist list last month. And yet Eric Holder is saying, and some people believe he was ready to do it 2 weeks ago Friday, to release them, to release them with Federal pay, if you will, so they can live on the environment, go to the shopping malls, do whatever, release them in the United States, without even telling the Congress anything.

Now, Congress cannot be like Pontius Pilate and sort of wash our hands and say, you know, we don't want to be involved in this. We don't want to know. If something happens, it is your responsibility. The Congress, the United States Congress and the American people want us to be involved. That is why they sent us here. So that is the Uyghurs, Eastern Turkistan Islamic group, terrorists, Tora Bora, Abdul Haq.

The other one is they want to move some of these terrorists like Khalid Sheik Mohammed that Mr. DREIER mentioned to the United States. Now, he is the one, he is the one who beheaded—beheaded Daniel Pearl. He was the mastermind of 9/11 which killed 30 people from my district. Now, is it okay for Eric Holder to say, well, we are not going to give you a report? And it just so happens that no Member of Congress—Eric Holder has refused to allow the FBI career people to come up and brief the Congress. Now if Attorney General Ashcroft had prohibited the FBI from coming up to brief Senator LEAHY, this place would be up in arms. But Holder is prohibiting the FBI up until maybe next week to come up and brief on this issue.

Now, everyone said, well, we can hold him without any trouble. Okay. Great. But don't forget, Officer Pepe was stabbed in the eye by one of these guys at the World Trade Center—in the eye up in Attica. And don't also forgot the sheik, the blind sheik, Rahman, was proceeding sending information out with regard to his lawyer.

And lastly many people forget but the terrorists who were in American prisons were in communication to the Madrid bombers, with the Madrid bombing. But Eric Holder said, we are not going to give you a report. And do you know what? The Congress said, we don't want a report. We don't really want to be involved. We really don't want to know. So you go ahead and do whatever you want to do.

And lastly this: everyone in Guantanamo is medium to high security. The others have been released. Of the others that have been released, 61 have come back on the terrorist field, terrorist attacks against us and against our men and women in uniform. That is the low level guys.

These are the medium and high. So what we wanted to do is say that Congress ought to be involved. We didn't get into whether or not you close Guantanamo Bay or not. We were not stopping that. We were just saying, let's give us a report. Let's let the American people know. If the Congress doesn't want to know, let the American people know about whoever may be released in their neighborhood. They will at least know.

And lastly the Governors and the State legislators ought to participate. For that reason, this amendment should have been made in order whereby we could debate it to say, do you want these people to be released or do you want them to be retransferred? And should the Congress be involved?

Mr. PERLMUTTER. Mr. Speaker, I yield 1 minute to my friend from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. I always supported the efforts in Afghanistan. But last weekend I went to Afghanistan. And as much as I want to support the country and I want to support this bill, I cannot. The problems there are overwhelming. Ninety percent of the women are illiterate and a huge majority of the men. Twenty-five percent of the children die before age 5. Thirty years of war has devastated any possibility of leadership in that country. Women area abused and beaten. Drug addiction is rampant. There is corruption in the government and corruption in the military.

In Afghanistan we were told it would take 10 to 15 years to turn this country around—10 to 15 years. So we either go full throttle or we just say, okay, because we can't just string it along like we did in Vietnam. Their needs are far more than one country can give. If other nations would stand up and do what we have done and give the same commitment of their people and their talent, Afghanistan could turn this around. And we could help them. But the world won't adopt Afghanistan. And we cannot be a single parent there.

Our focus now has to be Pakistan, the greater risk.

And so I will not be able to support this bill.

Mr. PERLMUTTER. Mr. Speaker, I have one more speaker, Mr. KIND from Wisconsin, for 1 minute.

Mr. KIND. Mr. Speaker, I want to thank my friend for yielding me this time.

Mr. Speaker, I rise in strong support of the rule and for the supplemental. In Wisconsin we have had the largest call-up, the largest redeployment of our guard units since the Second World War. Many of our companies in western Wisconsin have had deployment ceremonies, tremendous sacrifices that our troops are making as well as their families to serve our country. This supplemental ensures that they get the tools and the resources and the equipment that they need to do their job as safely and as effectively as possible. It is the least we can do given what they are doing for us.

I also want to commend the dean of the Wisconsin delegation, the Chair of the Appropriations Committee, Mr. OBEY, because he recognized the huge shortfall when it came to Farm Service Administration loans for our family farmers. The demand was exceeding the authority that we gave them to give out these ISA loans which is important for them to have so they can buy the seed so they can plant it in the ground and stay in business. And 47 of the 50 States were reaching shortfalls in this manner. It was brought to Mr. OBEY's and others' attention, and they took immediate action in order to rectify it before we had a wholesale reduction in family farming throughout the country. So I commend the chairman of the Appropriations Committee.

I urge my colleagues to support the rule and the supplemental.

Mr. DREIER. The gentleman will be closing for his side?

Mr. PERLMUTTER. Yes.

Mr. DREIER. Mr. Speaker, I yield myself the balance of our time.

The SPEAKER pro tempore. The gentleman is recognized for 4 minutes.

Mr. DREIER. Mr. Speaker, I know that I speak for my Republican colleagues when I say that when President Obama said that he wanted to work in a bipartisan way, we would agree when it was the right thing to work with him in a bipartisan way.

Clearly, supporting our men and women who are daily stepping forward and volunteering to help us in the effort to prosecute this ongoing struggling against radical extremism deserves bipartisan support. So we are pleased that President Obama has made this request. We all hope, as Memorial Day approaches 1 week from Monday, we all hope very much that we are able to see this war come to an end. And we all want to see our men and women come home just as soon as we possibly can.

It is unfortunate that while President Obama has agreed to work with Republicans in our quest to ensure that we have adequate funding and support for our troops, that the Democratic leadership has chosen to use a procedure that is, unfortunately, one that we never once used when we were in the majority in dealing with a wartime supplemental. This is a closed rule that denies us a chance to offer the very, very thoughtful amendment that Mr. WOLF has come forward with.

□ 1330

It's clear, for those who heard our colleague from Vienna speak from this well about the deliberation that he took in crafting this amendment, that it's one that should be considered by this full House. But, unfortunately, the rule that is before us denies that.

Our colleague from Hinsdale, Illinois (Mrs. BIGGERT) had a very, very needed amendment that would increase the compensation level for our men and women in uniform. Unfortunately, this rule denies a chance for that to be considered.

The distinguished ranking member, the gentleman from Somerset, Kentucky, of the Subcommittee on Homeland Security (Mr. ROGERS), had his amendment that would have allowed for a transfer to deal with the pressing need that exists on our southern border, to secure it so that the drug cartels that are moving throughout Mexico killing literally thousands and thousands of people, so that we're able to protect ourselves from that. We are not even allowed to debate that amendment that Mr. ROGERS, a hardworking member of the Appropriations Committee, brought forward.

So, Mr. Speaker, I believe that what we should do is defeat the previous question. And if Members who are committed to allowing for congressional involvement to deal with this difficult issue of Guantanamo, if they share that concern, Democrats and Republicans, we should join to defeat the previous question.

If I'm successful in my quest to defeat the previous question, I will offer an amendment to the rule to substitute Mr. OBEY's inadequate language on the Guantanamo detainees with Mr. WOLF's far more robust solution to the detainee problem.

And, again, to be very specific, Mr. Speaker, the Wolf amendment would require real risk assessments on the dangers of releasing Guantanamo detainees into our local communities. It would require the consent of governors and State legislatures before the Guantanamo detainees are sent here, and it would require a certification that bringing detainees on U.S. soil won't create legal repercussions that could result in terrorists roaming freely on our streets.

Mr. Speaker, most importantly, the application of the Wolf amendment has the effect of extending beyond the end of this fiscal year by requiring a detailed report in advance of any releases or transfers, while Mr. OBEY's language would allow terrorists to be released into the wild of our local communities without a second thought anytime after October 1.

Mr. Speaker, I ask unanimous consent to include the full language of the amendment in the RECORD.

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

There was no objection.

Mr. DREIER. Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question if they're committed to dealing responsibly with the Guantanamo issue and, if we're not successful with that, to vote ''no'' on the rule.

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

Mr. PERLMUTTER. Mr. Speaker, I think I will begin where my friend from California just left off, and that's with the Guantanamo issue, which I think has been blown way out of proportion because in the amendment that is proposed as part of this rule, none of the funds made available in this or any prior act may be used to release an individual who is detained as of April 30, 2009, at the Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia. It goes on to say that the President shall submit to the Congress in writing a comprehensive plan regarding the proposed disposition of each individual who is detained as of April 30, 2009, at Guantanamo Bay.

So this amendment provides precisely what they're concerned about. So their complaint is one that completely baffles me, and all the rhetoric and the histrionics attached to it as the potential for terrorists running amok in the streets simply is not accurate under this amendment or this supplement.

But the real purpose of the supplemental appropriation deals with several other things. Let's begin with wildfire suppression, making sure that firefighters can receive different kinds of grants for rehiring and personnel purposes; border enforcement, there's additional funding so that the border enforcement along the Mexican border is beefed up, as it was within the stimulus bill. There's additional funding for narcotics trafficking. We deal with the influenza as part of this supplemental, farming.

But then the most important and the real key to this supplemental deals with our troops. And it begins with allowing additional funds for stop-loss so that those people who have had to stay in the military beyond their original tours of duty get an additional $500 a month. There is a potential pay increase, and there is funding for warriors in transition. We had the terrible incident a few days ago of one of our troops killing a number of others because of the stress that comes from these war zones. So there's additional funding for that. Then, of course, the additional funding for our troops in Iraq and Afghanistan. We require reports as to how things are proceeding

towards the President's withdrawal date of August 31, 2010, from Iraq as well as requiring reports as to reconciliation and political consensus in Afghanistan.

I urge that my friends and my colleagues here in the Congress vote ''yes'' on the previous question and vote ''yes'' on the rule.

AMENDMENT TO H. RES. 434 OFFERED BY MR. DREIER OF CALIFORNIA

Strike ''printed in the report of the Committee on Rules accompanying this resolution'' and insert ''printed in the Congressional Record on May 12, 2009 and numbered 2''.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2). Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am pleased to support the rule for H.R. 2346, the Supplemental Appropriations Act of 2009. Clearly, this is an important bill and must be only amended with items that are essential to move clear the way for the assistance this country so greatly needs. I am saddened by the decision to make the rule a closed rule. Nevertheless, I support the rule and the underlying bill.

On May 4, Chairman OBEY released a summary of his initial mark of this legislation, reflecting the subcommittee's proposals. His mark provides a total of $94.2 billion, about $9.3 billion above the amended Administration request ($83.4 billion in the initial April 9 request, plus $1.5 billion for influenza preparedness requested on April 30, for a total of $84.9 billion).

It adds $3.2 billion for military construction, $3.1 billion for C–17 and C–130 cargo aircraft, and $3.2 billion for international affairs, with some offsetting reductions from the request elsewhere. This mark also provides $2.0 billion for influenza preparedness, $500 million more than requested.

AMENDMENT

Although it was a closed rule. I would have offered the following amendments.

While I am pleased to see more money going to support efforts by the Centers for Disease Control & Prevention, our military, and our institutions managing foreign affairs; I want to ensure that funding that was already allocated is utilized.

In 2008, I worked with Congressman MURTHA and the Subcommittee on Defense to appropriate federal dollars for military personnel to receive assistance with post-traumatic stress disorder (PTSD). Having worked with Riverside General Hospital in my district, and learned of the many men and women suffering from PTSD; I formally requested and received FY08 funding for Riverside General Hospital to provide PTSD services to not only military personnel in Houston, TX but in the surrounding communities as well.

Due to unforeseen issues with the Department of Defense (DoD), the appropriated funding was never released from the Agency to the Hospital; and therefore services have yet to be rendered.

Therefore, to ensure legal authority for disbursement by DoD, I would like to have the funds allocated through Defense Health Operations & Maintenance in which case, the appropriate language should state:

''Of the funds provided for operations and maintenance for the Defense Health Program, the Secretary of Defense shall make a grant in the amount of $1,000,000.00 to Riverside General Hospital of Houston, Texas for services to treat Post-Traumatic Stress Disorders for active duty personnel, active duty dependents, National Guards, Reservist and military retirees with 20+ years of service discharged and/or on leave of duty.''

I believe this small technical amendment would right a wrong and clear the way for previously allocated funding to be disbursed. This language would fall within the statutory authorities available to DoD and will allow Riverside General Hospital to make improvements to the hospital in order to provide post traumatic stress disorder treatment to our military personnel. Without this amendment, or another appropriate legislative vehicle the funding will expire effective September 30, 2009, and the Agency could not release any funding to the hospital nor could the hospital push forward with much needed care.

PTSD

Last year the rate of suicide in the military exceeded that of the general population, with at least 128 Army soldiers ending their own lives last year. The suicide count, which includes soldiers in the Army Reserve and the National Guard, is sadly growing, 15 deaths are still being investigated, and the vast majority of them are expected to be ruled suicides according to Army officials.

The new suicide figure compares with 115 in 2007 and 102 in 2006 and is the highest since current record-keeping began in 1980. These alarming statistics are partially due to never-before-seen stress with two wars and repeated, long tours of duty according to Army statistics.

The Army operates one of the largest and most diverse military posts worldwide in Texas at Fort Hood. There are more than 52,000 Soldiers currently assigned and 70,000-plus family members. In fact, one out of every 10 active duty Soldiers in the Army is assigned to Fort Hood and it is the largest single local location employer in the State of Texas—with more than 12,000 civilian employees; and this figure does not account for the additional number of Coast Guard, Navy, Marines, and Air Force personnel in the area.

My district and the surrounding area badly need the mental healthcare that Riverside General Hospital can provide to the countless military personnel in central and southern Texas. Therefore, I wanted this language to be attached to H.R. 2346.

PAKISTAN

I would also like to increase the amount of funding for Pakistan from $400 million to $600 million. This funding can be used for opportunities other than just war funding opportunities. For example, this increase in funding can be used to capacity and nation-building. This is important for the reconstruction of Pakistan.

Again, although these amendments were not included in the bill. I urge my colleagues to support the rule and the bill.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and suspending the

rules and adopting House Resolution 377.

The vote was taken by electronic device, and there were—yeas 240, nays 188, not voting 5, as follows:

[Roll No. 261]

YEAS—240

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
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
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tauscher
Teague
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

NAYS—188

Aderholt
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Filner
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Boucher
Johnson (GA)
Sánchez, Linda T.
Stark
Tanner

□ 1402

Messrs. ROGERS of Michigan, MCHENRY, and MITCHELL changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Ms. FOXX. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 247, noes 178, not voting 8, as follows:

[Roll No. 262]

AYES—247

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
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
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tauscher
Taylor
Teague
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

NOES—178

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers

Emerson
Fallin
Filner
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Gutierrez
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Kucinich
Lamborn
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
McNerney
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Buchanan
Camp
Delahunt
Honda
Sánchez, Linda T.
Stark
Tanner
Wittman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1411

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HONDA. Mr. Speaker, on rollcall No. 262, had I been present, I would have voted "aye."

Stated against:

Mr. WITTMAN. Mr. Speaker, on rollcall No. 262 I was unavailably detained. Had I been present, I would have voted "no."

RECOGNIZING ARMED FORCES DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 377, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MASSA) that the House suspend the rules and agree to the resolution, H. Res. 377.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 13, as follows:

[Roll No. 263]

YEAS—420

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
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
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
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)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
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—13

Boustany
Cantor
Cooper
Delahunt
Franks (AZ)
Jordan (OH)
Langevin
Miller (MI)
Reichert
Sánchez, Linda T.
Serrano
Stark
Tanner

□ 1418

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LANGEVIN. Mr. Speaker, on rollcall 263 I was unable to record my vote. I intended to vote "yea" on that question.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1137

Mr. TOWNS. Mr. Speaker, I ask unanimous consent to remove Representative WASSERMAN SCHULTZ's name from H.R. 1137.

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

There was no objection.

SUPPLEMENTAL APPROPRIATIONS ACT, 2009

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 434, I call up the bill (H.R. 2346) making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 434, the amendment printed in House Report 111–107 is adopted, and the bill, as amended, is considered read.

The text of H.R. 2346, as amended pursuant to House Resolution 434, is as follows:

H.R. 2346

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2009, and for other purposes, namely:

TITLE I—DEFENSE MATTERS

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $10,924,641,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,716,827,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,577,850,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,783,208,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $381,155,000.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $39,478,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $29,179,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $16,943,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $1,373,273,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $101,360,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $14,024,703,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $2,367,959,000: *Provided*, That up to $129,503,000 may be transferred to the Coast Guard ''Operating Expenses'' account.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,084,081,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $6,216,729,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $5,353,701,000, of which—

(1) not to exceed $10,000,000 shall be available for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom;

(2) not to exceed $810,000,000, to remain available until expended, shall be for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support including access provided, or to be provided, to United States military operations in support of Operation Iraqi Freedom and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made, at the discretion of the Secretary of Defense, in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to friendly foreign forces supporting United States military operations in Iraq and Afghanistan;

(3) not to exceed $10,000,000 shall be available for emergencies and extraordinary expenses: *Provided*, That the Secretary of Defense shall certify that such payments are necessary for confidential military purposes; and

(4) not to exceed $350,000,000, to remain available until September 30, 2010, shall be for counternarcotics and other activities including assistance to other Federal agencies, on the United States border with Mexico: *Provided*, That the Secretary of Defense may transfer these funds to appropriations for military personnel, operation and maintenance, and procurement to be available for the same purposes as the appropriation or fund to which transferred: *Provided further*, That the Secretary of Defense may transfer up to $100,000,000 of this amount to any other Federal appropriations accounts, with the concurrence of the head of the relevant Federal department or agency for border-related activities: *Provided further*, That the funds transferred shall be merged with and be available for the same purposes and the same time period, as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation, to be merged with and made available for the same purposes and for the time period provided under this heading.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $101,317,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $24,318,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $30,775,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $34,599,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $178,446,000.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Iraq Freedom Fund'', $365,000,000, to remain available to the Secretary of Defense for transfer until September 30, 2010, of which—

(1) not to exceed $350,000,000 shall be available for rapid response to unforeseen, immediate warfighter needs for Iraq, Afghanistan, and other geographic areas in which combat or direct combat support operations for Iraq and Afghanistan occur in order to minimize casualties and ensure mission success for Operation Iraqi Freedom and Operation Enduring Freedom: *Provided*, That these funds are available for transfer to any other appropriations accounts of the Department of Defense to accomplish the purposes provided herein: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense; and

(2) not to exceed $15,000,000 shall be available to the Secretary of Defense to transport the remains of servicemembers killed in combat operations: *Provided*, That these funds are available for transfer to any other appropriations accounts of the Department of Defense to accomplish the purposes provided herein: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Afghanistan Security Forces Fund'', $3,606,939,000, to remain available until September 30, 2010: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to making any obligation or transfer from this appropriation account, notify the congressional defense committees in writing of the details of the proposed obligation or transfer.

PAKISTAN COUNTERINSURGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Pakistan Counterinsurgency Fund'', hereby established in the Treasury of the United States, $400,000,000, to remain available until September 30, 2010: *Provided*, That such funds shall be available to the Secretary of Defense, with the concurrence of the Secretary of State, notwithstanding any other provision of law, to provide assistance to the security forces of Pakistan (including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction) to improve the counterinsurgency capability of Pakistan's security forces, and, on an exceptional basis, irregular security forces: *Provided further*, That the authority to provide assistance under this provision is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer such amounts as the Secretary may determine from the funds provided herein to any appropriations available to the Department of Defense or, with the concurrence of the Secretary of State and head of the relevant Federal department or agency, to any other non-

intelligence related Federal account to accomplish the purposes provided herein: *Provided further*, That funds so transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: *Provided further*, That upon determination by the Secretary of Defense or head of other Federal department or agency, with the concurrence of the Secretary of State, that all or part of the funds so transferred from this appropriation are not necessary for the purposes herein, such amounts may be transferred by the head of the relevant Federal department or agency back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That the authority of the Secretary of Defense to obligate or transfer funds pursuant to this paragraph shall apply only to the funds appropriated for such purposes in this Act, and such authority shall not be continued beyond the expiration date specified in the matter preceding the first proviso: *Provided further*, That funds may not be obligated or transferred from the ''Pakistan Counter-insurgency Fund'' until 15 days after the date on which the Secretary of Defense notifies the Committees on Appropriations of the House of Representatives and the Senate, and the congressional defense and foreign affairs committees, in writing of the details of the proposed obligation or transfer.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $1,285,304,000, to remain available until September 30, 2011.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $677,141,000, to remain available until September 30, 2011.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $2,233,871,000, to remain available until September 30, 2011.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $230,075,000, to remain available until September 30, 2011.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $8,039,349,000, to remain available until September 30, 2011.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $691,924,000, to remain available until September 30, 2011.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $31,698,000, to remain available until September 30, 2011.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $348,919,000, to remain available until September 30, 2011.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $172,095,000, to remain available until September 30, 2011.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $1,509,986,000, to remain available until September 30, 2011.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $5,138,268,000, to remain available until September 30, 2011.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $57,416,000, to remain available until September 30, 2011.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $183,684,000, to remain available until September 30, 2011.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,745,761,000, to remain available until September 30, 2011.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $200,068,000, to remain available until September 30, 2011.

NATIONAL GUARD AND RESERVE EQUIPMENT

For an additional amount for procurement of high priority items of equipment that may be used by reserve component units for both its combat mission and the units' mission in support of the State governors, $500,000,000, to remain available for obligation until September 30, 2011: *Provided*, That the Chiefs of the National Guard and of the Reserve components shall, not later than 60 days after the enactment of this Act, individually submit to the congressional defense committees a listing of items of equipment to be procured for their respective National Guard or Reserve component.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $73,734,000, to remain available until September 30, 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $96,231,000, to remain available until September 30, 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $92,574,000, to remain available until September 30, 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $459,391,000, to remain available until September 30, 2010.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $846,726,000, to remain available until expended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,097,297,000, of which $845,508,000, to remain available until September 30, 2009, is for operation and maintenance; of which $50,185,000, to remain available until September 30, 2011, is for procurement; and of which $201,604,000, to remain available until September 30, 2010, is for research, development, test and evaluation.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $137,198,000, to remain available until expended.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

For an additional amount for ''Joint Improvised Explosive Device Defeat Fund'', $1,316,746,000, to remain available until September 30, 2011.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Mine Resistant Ambush Protected Vehicle Fund'', $4,843,000,000, to remain available until September 30, 2010: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the Secretary shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $9,551,000.

GENERAL PROVISIONS, THIS TITLE

SEC. 10001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2009.

(INCLUDING TRANSFER OF FUNDS)

SEC. 10002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer between appropriations up to $2,000,000,000 of the funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329) except for the fourth proviso.

SEC. 10003. Funds appropriated by this title, or made available by the transfer of funds in this title, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

(INCLUDING TRANSFER OF FUNDS)

SEC. 10004. During fiscal year 2009 and from funds in the Defense Cooperation Account, as established by 10 U.S.C. 2608, the Secretary of Defense may transfer up to $6,500,000 to such appropriations or funds of the Department of Defense as the Secretary shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided*, That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary shall report to the Congress all transfers made pursuant to this authority.

SEC. 10005. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, ''Afghanistan Security Forces Fund'' or ''Iraq Security Forces Fund'' provided in this title, and executed in direct support of the overseas contingency operations only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

(INCLUDING RESCISSIONS)

SEC. 10006. (a)(1) Of the funds appropriated in chapter 2 of title IX of Public Law 110–252 under the heading, ''Iraq Security Forces Fund'', $1,000,000,000 is rescinded.

(2) For an additional amount for ''Iraq Security Forces Fund'', $1,000,000,000, to remain available until September 30, 2010: *Provided*, That funds may not be obligated or transferred from this fund until 15 days after the date on which the Secretary of Defense notifies the congressional defense committees in writing of the details of the proposed obligation or transfer.

(b)(1) Of the funds appropriated in chapter 2 of title IX of Public Law 110–252 under the heading, ''Afghanistan Security Forces Fund'', $125,000,000 is rescinded.

(2) For an additional amount for the ''Afghanistan Security Forces Fund'', $125,000,000, to remain available until September 30, 2010.

SEC. 10007. Funds made available in this Act to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000: *Provided further*, That the Secretary shall report to the Congress all purchases made pursuant to this authority within 30 days of using the authority.

SEC. 10008. (a) Beginning in fiscal year 2009, during any year in which funds are authorized to be appropriated to carry out the Commander's Emergency Response Program, the Secretary of Defense may accept contributions of funds from any person, foreign government, or international organization to carry out the Commander's Emergency Response Program in Iraq or Afghanistan.

(b) Funds contributed pursuant to subsection (a) shall be credited to ''Operation and Maintenance, Army''.

(c) Funds contributed pursuant to subsection (a) shall become available during each year in which funds authorized to be appropriated have been appropriated.

SEC. 10009. (a) Until September 30, 2009, the Secretary of Defense may enter into an agreement with the head of an executive department or agency that has established internship programs to reimburse that department or agency for the costs associated with the first year of employment of eligible military spouses into positions under the internship program.

(b) The Secretary may provide such reimbursement to the department or agency, from funds otherwise made available for ''Operation and Maintenance, Defense-Wide'', including the costs of the salary, benefits and allowances, and training of the military spouse for the first year of employment, for eligible military spouses beginning their internship by September 30, 2009.

(c) In this section:

(1) The term ''eligible military spouse'' means any person married to a member of the Armed Forces on active duty at the time of appointment, other than a person who—

(A) is legally separated from a member of the Armed Forces under court order or statute of any State or possession of the United States;

(B) is also a member of the Armed Forces on active duty; or

(C) is a retired member of the Armed Forces.

(2) The term ''internship'' means a professional, analytical, or administrative position in the Federal Government that operates under a developmental program leading to career advancement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 10010. Notwithstanding any other provision of law, of the funds appropriated in this title for ''Operation and Maintenance, Defense-Wide'', the Secretary of Defense may transfer up to $30,000,000 to the Department of State ''Assistance for Europe, Eurasia and Central Asia'' account, with the concurrence of the Secretary of State, to provide a long-range air traffic control and safety system to support air operations in the Kyrgyz Republic, including Manas International Airport and Air Base: *Provided*, That funds transferred under this section shall remain available until expended.

SEC. 10011. From funds made available in this title, the Secretary of Defense may purchase motor vehicles for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan, up to a limit of $75,000 per vehicle, notwithstanding other limitations applicable to passenger carrying motor vehicles.

(RESCISSIONS)

SEC. 10012. (a) Of the funds appropriated in the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329), the following amounts are rescinded from the following accounts in the amounts specified: ''Operation and Maintenance, Army'', $352,359,000; ''Operation and Maintenance, Navy'', $881,481,000; ''Operation and Maintenance, Marine Corps'', $54,466,000; ''Operation and Maintenance, Air Force'', $925,203,000; ''Operation and Maintenance, Defense-Wide'', $81,135,000; ''Operation and Maintenance, Army Reserve'', $23,338,000; ''Operation and Maintenance, Navy Reserve'', $62,910,000; ''Operation and Maintenance, Marine Corps Reserve'', $1,250,000; ''Operation and Maintenance, Air Force Reserve'', $163,786,000; ''Operation and Maintenance, Army National Guard'', $57,819,000; ''Operation and Maintenance, Air National Guard'', $250,645,000; ''Research, Development, Test and Evaluation, Navy'', $30,510,000; and ''Research, Development, Test and Evaluation, Air Force'', $15,098,000.

(b)(1) Of the funds appropriated in the Department of Defense Appropriations Act, 2008 (division A of Public Law 110–116) under the heading ''Research, Development, Test and Evaluation, Navy'', $5,000,000 is rescinded.

(2) Of the funds appropriated in the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329) under the heading ''Operation and Maintenance, Defense-Wide'', $5,000,000 is rescinded.

(c) Of the funds appropriated in the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329) under the heading ''Research, Development, Test and Evaluation, Air Force'', $100,000,000 is rescinded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 10013. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: *Provided*, That the amounts transferred shall be made available for the same purpose as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: *Provided further*, That the funds shall be transferred between the following appropriations in the amounts specified:

To:

''Military Personnel, Army, 2009'', $100,600,000; ''Reserve Personnel, Army, 2009'', $41,000,000; and ''National Guard Personnel, Army, 2009'', $9,000,000.

From:

Funds appropriated in the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329) under the heading ''Aircraft Procurement, Army, 2009/2011'', $22,600,000; and under the heading ''Procurement of Ammunition, Army, 2009/2011'', $107,100,000.

From:

Funds appropriated in the Department of Defense Appropriations Act, 2008 (division A of Public Law 110–116) under the heading ''Other Procurement, Army, 2008/2010'', $20,900,000.

(RESCISSIONS)

SEC. 10014. Of the funds appropriated in the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329), under the heading ''Operation and Maintenance, Defense-Wide'', $181,500,000 is rescinded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 10015. (a) RETROACTIVE PAYMENT OF STOP-LOSS SPECIAL PAY.—In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $734,400,000 is appropriated to the Department of Defense, to remain available for obligation until expended. *Provided*, That such funds shall be available to the Secretaries of the military departments only to make the payment specified in subsection (b) to members of the Armed Forces, including members of the reserve components, and former and retired members under the jurisdiction of the Secretary who, at any time during the period beginning on September 11, 2001, and ending on September 30, 2009, served on active duty while the members' enlistment or period of obligated service was extended, or whose eligibility for retirement was suspended, pursuant to section 123 or 12305 of title 10, United States Code, or any other provision of law (commonly referred to as a ''stop-loss authority'') authorizing the President to extend an enlistment or period of obligated service, or suspend an eligibility for retirement, of a member of the uniformed services in time of war or of national emergency declared by Congress or the President.

(b) PAYMENT AMOUNT.—The amount to be paid under subsection (a) to or on behalf of an eligible member, retired member, or former member described in such subsection shall be $500 per month for each month or portion of a month during the period specified in such subsection that the member was retained on active duty as a result of application of the stop-loss authority.

(c) TREATMENT OF DECEASED MEMBERS.—If an eligible member, retired member, or former member described in subsection (a) dies before the payment required by this section is made, the Secretary concerned shall make the payment to the designated representative or estate of the member.

(d) EXCLUSION OF CERTAIN FORMER MEMBERS.—A former member of the Armed Forces is not eligible for a payment under this section if the former member was discharged or released from the Armed Forces under other than honorable conditions.

(e) RELATION TO OTHER STOP-LOSS SPECIAL PAY.—A member, retired member, or former member may not receive a payment under this section and stop-loss special pay under section 8116 of the Department of Defense Appropriations Act, 2009 (division C of Public Law 110–329; 122 Stat. 3646) for the same

month or portion of a month during which the member was retained on active duty as a result of application of the stop-loss authority.

SEC. 10016. (a) Section 132 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1392) is repealed.

(b) Notwithstanding any other provision of law, the Secretary of the Air Force may retire C–5A aircraft from the inventory of the Air Force 15 days after certifying to the congressional defense committees that retiring the aircraft will not significantly increase operational risk of not meeting the National Defense Strategy, provided that such retirements may not reduce total strategic airlift force structure inventory below the 292 strategic airlift aircraft level identified in the Mobility Capability Study 2005 (MCS–05) unless otherwise addressed in the fiscal year 2010 National Defense Authorization Act.

SEC. 10017. None of the funds appropriated or otherwise made available by this title may be obligated or expended to provide award fees to any defense contractor contrary to the provisions of section 814 of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109–364).

SEC. 10018. None of the funds provided in this title may be used to finance programs or activities denied by Congress in fiscal years 2008 or 2009 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 10019. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

SEC. 10020. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for the purpose of establishing any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 10021. (a) REPORT ON IRAQ TROOP DRAWDOWN STATUS, GOALS, AND TIMETABLE.—In recognition and support of the policy of President Barack Obama to withdraw all United States combat brigades from Iraq by August 31, 2010, and all United States military forces from Iraq on December 31, 2011, Congress directs the Secretary of Defense (in consultation with other members of the National Security Council) to prepare a report that identifies troop drawdown status and goals and includes—

(1) a detailed, month-by-month description of the transition of United States military forces and equipment out of Iraq; and

(2) a detailed, month-by-month description of the transition of United States contractors out of Iraq.

(b) ELEMENTS OF REPORT.—At a minimum, the Secretary of Defense shall address the following:

(1) How the Government of Iraq is assuming the responsibility for reconciliation initiatives as the mission of the United States Armed Forces transitions.

(2) How the drawdown of military forces complies with the President's planned withdrawal of combat brigades by August 31, 2010, and all United States forces by December 31, 2011.

(3) The roles and responsibilities of remaining contractors in Iraq as the United States mission evolves, including the anticipated number of United States contractors to remain in Iraq after August 31, 2010, and December 31, 2011.

(c) SUBMISSION.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter through September 30, 2010, the Secretary of Defense shall submit the report required by subsection (a) and a classified annex to the report, as necessary.

TITLE II—MILITARY CONSTRUCTION, FOREIGN OPERATIONS, AND OTHER MATTERS

CHAPTER 1—AGRICULTURE

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for ''Public Law 480 Title II Grants'', $500,000,000, to remain available until expended.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 20101. Amounts appropriated by section 101(a) of title I of division B of Public Law 109–148 (119 Stat. 2747) and unobligated as of the date of the enactment of this Act shall be available to the Secretary of Agriculture, until expended, to provide assistance under the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) for expenses related to recovery efforts in response to natural disasters.

SEC. 20102. (a)(1) For an additional amount for gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, to be available from funds in the Agricultural Credit Insurance Fund, as follows: direct farm ownership loans, $360,000,000; direct operating loans, $400,000,000; and unsubsidized guaranteed operating loans, $50,201,000.

(2) For an additional amount for the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: direct farm ownership loans, $22,860,000; direct operating loans, $47,160,000; and unsubsidized guaranteed operating loans, $1,250,000.

(b) Of the unobligated balances available and provided in prior year appropriations acts for discretionary programs in the Rural Development mission area, $71,270,000 is hereby rescinded.

CHAPTER 2—COMMERCE AND JUSTICE

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses'', $1,648,000, to remain available until September 30, 2010.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses'', $5,000,000, to remain available until September 30, 2010.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $1,389,000, to remain available until September 30, 2010.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,000,000, to remain available until September 30, 2010.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $5,038,000, to remain available until September 30, 2010.

GENERAL PROVISION, THIS CHAPTER

(INCLUDING RESCISSION)

SEC. 20201. (a) Of the funds appropriated in chapter 2 of title I of Public Law 110–252 under the heading ''Office of Inspector General'', $3,000,000 is rescinded.

(b) For an additional amount for ''Office of Inspector General'', $3,000,000, to remain available until September 30, 2010.

CHAPTER 3—ENERGY

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

STRATEGIC PETROLEUM RESERVE

(TRANSFER OF FUNDS)

For an additional amount for ''Strategic Petroleum Reserve'', $21,585,723, to remain available until expended, to be derived by transfer from the ''SPR Petroleum Account'' for site maintenance activities.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for ''Defense Nuclear Nonproliferation'', $55,000,000, to remain available until expended.

CHAPTER 4—GENERAL GOVERNMENT

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $2,936,000, of which $800,000 shall remain available until expended and $2,136,000 shall remain available until September 30, 2010.

CHAPTER 5—HOMELAND SECURITY

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

FIREFIGHTER ASSISTANCE GRANTS

For grants awarded under section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) in fiscal years 2009 and 2010, the Administrator of the United States Fire Administration may waive the requirements of subsection (a)(1)(B) and subsection (c) of such section and may award grants for the hiring, rehiring, or retention of firefighters.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 20501. Notwithstanding sections 12112, 55102, and 55103 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall issue a certificate of documentation with appropriate endorsement for engaging in the coastwise trade for the drydock ALABAMA (United States official number 641504).

SEC. 20502. Notwithstanding sections 55101, 55103, and 12112 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the vessel MARYLAND INDEPENDENCE (official number 662573). The coastwise endorsement issued under authority of this section is terminated if—

(1) the vessel, or controlling interest in the person that owns the vessel, is conveyed after the date of enactment of this Act; or

(2) any repairs or alterations are made to the vessel outside of the United States.

CHAPTER 6—INTERIOR AND ENVIRONMENT

DEPARTMENT OF THE INTERIOR

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount to cover necessary expenses for wildfire suppression and

emergency rehabilitation activities of the Department of the Interior, $50,000,000, to remain available until expended: *Provided*, That such funds shall only become available if funds provided previously for wildland fire suppression will be exhausted imminently and after the Secretary of the Interior notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: *Provided further*, That the Secretary of the Interior may transfer any of these funds to the Secretary of Agriculture if the transfer enhances the efficiency or effectiveness of Federal wildland fire suppression activities.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount to cover necessary expenses for wildfire suppression and emergency rehabilitation activities of the Forest Service, $200,000,000, to remain available until expended: *Provided*, That such funds shall only become available if funds provided previously for wildland fire suppression will be exhausted imminently and after the Secretary of Agriculture notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: *Provided further*, That the Secretary of Agriculture may transfer not more than $50,000,000 of these funds to the Secretary of the Interior if the transfer enhances the efficiency or effectiveness of Federal wildland fire suppression activities.

CHAPTER 7—HEALTH AND HUMAN SERVICES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Public Health and Social Services Emergency Fund'' to prepare for and respond to an influenza pandemic, including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools and to assist international efforts and respond to international needs relating to the 2009–H1N1 influenza outbreak, $1,850,000,000, to remain available until expended: *Provided*, That no less than $350,000,000 shall be for upgrading State and local capacity: *Provided further*, That no less than $200,000,000 shall be transferred to the Centers for Disease Control and Prevention to carry out global and domestic disease surveillance, laboratory capacity and research, laboratory diagnostics, risk communication, rapid response, and quarantine: *Provided further*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services (''Secretary''), be deposited in the Strategic National Stockpile under section 319F–2 of the Public Health Service Act: *Provided further*, That notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccine and other biologics, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologics: *Provided further*, That funds appropriated under this heading and not specifically designated under this heading may be transferred to, and merged with, other appropriation accounts of the Department of Health and Human Services and other Federal agencies, as determined by the Secretary to be appropriate, to be used for the purposes specified under this heading and to the fund authorized by section 319F–4 of the Public Health Service Act: *Provided further*, That transfers to other Federal agencies shall be made in consultation with the Director of the Office of Management and Budget: *Provided further*, That prior to transferring any funds under this heading, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate of any such transfer and the planned uses of the funds: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available in this or any other Act.

GENERAL PROVISION, THIS CHAPTER

SEC. 20701. Title II of division F of the Omnibus Appropriations Act, 2009 (Public Law 111–8) is amended under the heading ''Children and Families Services Programs''—

(1) by striking the first proviso in its entirety; and

(2) by striking ''*Provided further*'' the first place it appears and inserting ''*Provided*''.

CHAPTER 8—LEGISLATIVE BRANCH

CAPITOL POLICE

GENERAL EXPENSES

For an additional amount for ''General Expenses'', $71,606,000, to purchase and install a new radio system for the Capitol Police to remain available until September 30, 2012: *Provided*, That $6,500,000 of these funds shall be designated as ''contingency'' and shall only be available for obligation upon approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Chief of the Capitol Police may not obligate any of the funds appropriated under this heading without approval of an obligation plan by the Committees on Appropriations of the House of Representatives and the Senate.

CHAPTER 9—MILITARY CONSTRUCTION

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

For an additional amount for ''Military Construction, Army'', $1,407,231,000, of which $810,850,000 shall remain available until September 30, 2010, and of which $596,381,000 for child development centers, warrior in transition facilities, and planning and design shall remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $68,081,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds appropriated for ''Military Construction, Army'' under Public Law 110–252, $142,500,000 is rescinded.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $235,881,000, to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $11,000,000 shall be available for study, planning, design, and architect and engineer services.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For an additional amount for ''Military Construction, Air Force'', $279,120,000, of which $255,650,000 shall remain available until September 30, 2010, and of which $23,470,000 for child development centers and planning and design shall remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $12,070,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds appropriated for ''Military Construction, Air Force'' under Public Law 110–252, $30,000,000 is rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for ''Military Construction, Defense-Wide'', $1,086,968,000, to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects in the United States not otherwise authorized by law: *Provided further*, That of the amount provided under this heading, $30,000,000 shall be for the planning and design of a National Security Agency data center and $1,056,968,000 shall be for the construction of hospitals: *Provided further*, That not later than 30 days after the enactment of this Act, the Secretary of Defense shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for the funds provided for hospital construction under this heading.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For an additional amount for ''North Atlantic Treaty Organization Security Investment Program'', $100,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $263,300,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

CHAPTER 10—STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Diplomatic and Consular Programs'', $1,016,215,000, to remain available until September 30, 2010, of which $403,983,000 is for worldwide security protection and shall remain available until expended: *Provided*, That the Secretary of State may transfer up to $157,600,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in and assistance for Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided further*, That up to $10,900,000 of the funds made available under this heading for public diplomacy activities should be

transferred to, and merged with, funds made available for ''International Broadcasting Operations'' for broadcasting activities to the Pakistan-Afghanistan Border Region.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of Inspector General'', $17,123,000, to remain available until September 30, 2010, of which $7,201,000 shall be transferred to the Special Inspector General for Afghanistan Reconstruction for reconstruction oversight: *Provided*, That the Special Inspector General for Afghanistan Reconstruction may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of such section) for funds made available for fiscal years 2009 and 2010: *Provided further*, That the Inspector General of the United States Department of State and the Broadcasting Board of Governors, the Special Inspector General for Iraq Reconstruction, the Special Inspector General for Afghanistan Reconstruction, and the Inspector General of the United States Agency for International Development shall coordinate and integrate the programming of funds made available under this heading in fiscal year 2009 for oversight of programs in Afghanistan, Pakistan and Iraq: *Provided further*, That the Secretary of State shall submit to the Committees on Appropriations of the House of Representatives and the Senate, within 30 days of completion, the annual comprehensive audit plan for the Middle East and South Asia developed by the Southwest Asia Joint Planning Group in accordance with section 842 of Public Law 110–181.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', $989,628,000, to remain available until expended, for worldwide security upgrades, acquisition, and construction as authorized: *Provided*, That funds made available under this heading in this chapter shall be for providing secure diplomatic facilities and housing for United States Mission staff in Afghanistan and Pakistan, and for the deployment of mobile mail screening units.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $836,900,000, to remain available until September 30, 2010.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $152,600,000, to remain available until September 30, 2010.

CAPITAL INVESTMENT FUND

For an additional amount for ''Capital Investment Fund'', $48,500,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $3,500,000, to remain available until September 30, 2010, for oversight of programs in Afghanistan and Pakistan.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

For an additional amount for ''Global Health and Child Survival'', $300,000,000, to remain available until September 30, 2010: *Provided*, That $200,000,000 shall be made available for pandemic preparedness and response: *Provided further*, That $100,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria: *Provided further*, That the amounts made available under this heading in this chapter are in addition to amounts made available for such purpose in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8): *Provided further*, That notwithstanding any other provision of law, to include minimum funding requirements or funding directives, if the President determines and reports to the Committees on Appropriations of the House of Representatives and the Senate that the human-to-human transmission of the H1N1 virus is efficient and sustained, and is spreading internationally, funds made available under the headings ''Global Health and Child Survival'', ''Development Assistance'', ''Economic Support Fund'', and ''Millennium Challenge Corporation'' in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to combat the H1N1 virus: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations of the House of Representatives and the Senate.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $200,000,000, to remain available until expended.

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Economic Support Fund'', $2,907,500,000, to remain available until September 30, 2010, of which up to $529,500,000 is for assistance for Pakistan: *Provided*, That of the funds made available under this heading, not less than $70,000,000 shall be made available for the National Solidarity Program in Afghanistan: *Provided further*, That of the funds made available under this heading, not more than $556,000,000 may be made available for assistance for the West Bank and Gaza, of which not to exceed $5,000,000 may be used for administrative expenses of the United States Agency for International Development, in addition to funds otherwise available for such purposes, to carry out programs in the West Bank and Gaza, and of which $2,000,000 shall be transferred, and merged with, funds available under the heading ''United States Agency for International Development, Funds Appropriated to the President, Office of Inspector General'' to conduct oversight of programs in the West Bank and Gaza: *Provided further*, That of the amounts made available for assistance for the West Bank and Gaza, not more than $200,000,000 may be made available for cash transfer assistance to the Palestinian Authority: *Provided further*, That none of the funds made available under this heading for cash transfer assistance to the Palestinian Authority may be obligated for salaries of personnel of the Palestinian Authority located in Gaza: *Provided further*, That up to $10,000,000 of the funds made available under this heading may be made available for disaster assistance in Burma only for humanitarian assistance to Burmese affected by Cyclone Nargis, notwithstanding any other provision of law: *Provided further*, That of the funds made available under this heading, up to $300,000,000 may be made available for assistance for developing countries impacted by the global financial crisis, including Haiti, Liberia, and Indonesia.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For an additional amount for ''Assistance for Europe, Eurasia and Central Asia'', $242,500,000, to remain available until September 30, 2010, shall be available for assistance for Georgia: *Provided*, That funds appropriated under this heading shall be subject to prior consultations with, and the regular notification procedures of, the Committees on Appropriations of the House of Representatives and the Senate.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $483,500,000, to remain available until September 30, 2010: *Provided*, That not less than $160,000,000 shall be made available for assistance for Mexico to combat drug trafficking and related violence and organized crime, and for judicial reform, institution building, anti-corruption, and rule of law activities, and shall be immediately available notwithstanding section 7045(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8): *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations of the House of Representatives and the Senate, except that notifications shall be transmitted at least 5 days in advance of the obligation of any funds appropriated under this heading: *Provided further*, That of the funds appropriated under this heading, not more than $106,000,000 shall be made available for security assistance for the West Bank: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Secretary of State shall report to the Committees on Appropriations of the House of Representatives and the Senate, in classified form if necessary, on the use of assistance provided by the United States for the training of Palestinian security forces, including detailed descriptions of the training, curriculum, and equipment provided; and an assessment of the training and the performance of forces after training has been completed.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $98,500,000, to remain available until September 30, 2010, of which up to $73,500,000 may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation, disarmament and weapons destruction, and shall remain available until expended: *Provided*, That funds made available for the Nonproliferation and Disarmament Fund shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations of the House of Representatives and the Senate.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $343,000,000, to remain available until expended.

INTERNATIONAL SECURITY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $80,000,000, to remain available until September 30, 2010.

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For an additional amount for ''International Military Education and Training'', $2,000,000, to remain available until September 30, 2010.

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $1,349,000,000, to remain available until September 30, 2010: *Provided*, That not less than $310,000,000 shall be made available for assistance for Mexico and shall be immediately available notwithstanding section 7045(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8): *Provided further*, That funds made available pursuant to the previous proviso shall be available notwithstanding section 36(b) of the Arms Export Control Act: *Provided further*, That of the funds appropriated under this heading not less than $150,000,000 shall be available for Jordan: *Provided further*, That of the funds appropriated under this heading, not less than $555,000,000, shall be available for grants only for Israel and shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which $145,965,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That of the funds appropriated under this heading, not less than $260,000,000 shall be made available for grants only for Egypt, including for border security programs and activities in the Sinai: *Provided further*, That funds appropriated pursuant to the previous proviso estimated to be outlayed for Egypt shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act: *Provided further*, That up to $74,000,000 may be available for Lebanon only after the Secretary of State submits to the Committees on Appropriations of the House of Representatives and the Senate a report on procedures established to determine eligibility of members and units of the security forces of Lebanon to participate in United States training and assistance programs and on the end use monitoring of all equipment provided under such programs to the Lebanese security forces: *Provided further*, That prior to the initial obligation of funds the Secretary of State shall certify to the Committees on Appropriations of the House of Representatives and the Senate that all practicable efforts have been made to ensure that such assistance is not provided to or through any individual, or private or government entity, that advocates, plans, sponsors, engages in, or has engaged in, terrorist activity.

PAKISTAN COUNTERINSURGENCY CAPABILITY FUND

(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury of the United States a special account to be known as the ''Pakistan Counterinsurgency Capability Fund''. For necessary expenses to carry out the provisions of chapter 8 of part I and chapters 2, 5, 6, and 8 of part II of the Foreign Assistance Act of 1961 and section 23 of the Arms Export Control Act for counterinsurgency activities in Pakistan, $400,000,000, which shall become available on September 30, 2009, and remain available until September 30, 2010: *Provided*, That such funds shall be available to the Secretary of State, with the concurrence of the Secretary of Defense, notwithstanding any other provision of law, for the purpose of providing assistance for Pakistan to build and maintain the counterinsurgency capability of Pakistani security forces, and, on an exceptional basis, irregular security forces, to include program management and the provision of equipment, supplies, services, training, and facility and infrastructure repair, renovation, and construction: *Provided further*, That these funds may be transferred by the Secretary of State to the Department of Defense or other Federal departments or agencies to support counterinsurgency operations and may be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred, or may be transferred pursuant to the authorities contained in the Foreign Assistance Act of 1961: *Provided further*, That the Secretary of State shall, not fewer than 15 days prior to making transfers from this appropriation, notify the Committees on Appropriations of the House of Representatives and the Senate, and the congressional defense and foreign affairs committees, in writing of the details of any such transfer: *Provided further*, That the Secretary of State shall submit not later than 30 days after the end of each fiscal quarter to the Committees on Appropriations of the House of Representatives and the Senate a report summarizing, on a project-by-project basis, the transfer of funds from this appropriation: *Provided further*, That upon determination by the Secretary of Defense or head of other Federal department or agency, with the concurrence of the Secretary of State, that all or part of the funds so transferred from this appropriation are not necessary for the purposes herein, such amounts may be transferred by the head of the relevant Federal department or agency back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That any required notification or report may be submitted in classified or unclassified form.

GENERAL PROVISIONS, THIS CHAPTER

EXTENSION OF AUTHORITIES

SEC. 21001. Funds provided by this chapter may be obligated and expended notwithstanding section 10 of Public Law 91–672, section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

ALLOCATIONS

SEC. 21002. (a) Funds provided in this chapter for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the report accompanying this Act:

(1) ''Diplomatic and Consular Programs''.

(2) ''Embassy Security, Construction, and Maintenance''.

(3) ''Economic Support Fund''.

(b) For the purposes of implementing this section, and only with respect to the tables included in the report accompanying this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as appropriate, may propose deviations to the amounts referenced in subsection (a), subject to the regular notification procedures of the Committees on Appropriations of the House of Representatives and the Senate and section 634A of the Foreign Assistance Act of 1961.

SPENDING PLAN AND NOTIFICATION PROCEDURES

SEC. 21003. (a) SPENDING PLAN.—Not later than 45 days after the date of enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report detailing planned expenditures for funds appropriated in this chapter, except for funds appropriated under the headings ''International Disaster Assistance'' and ''Migration and Refugee Assistance''.

(b) NOTIFICATION.—Funds made available in this chapter shall be subject to the regular notification procedures of the Committees on Appropriations of the House of Representatives and the Senate and section 634A of the Foreign Assistance Act of 1961.

UNRWA ACCOUNTABILITY

(INCLUDING TRANSFER OF FUNDS)

SEC. 21004. (a) LIMITATION.—Of the funds made available in this chapter under the heading ''Migration and Refugee Assistance'', not more than $119,000,000 may be made available to the United Nations Relief and Works Agency (UNRWA) for activities in the West Bank and Gaza.

(b) ACCOUNTABILITY REPORT.—The Secretary of State shall prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate not later than 45 days after the date of enactment of this Act a report on whether UNRWA is—

(1) continuing to utilize Operations Support Officers in the West Bank and Gaza to inspect UNRWA installations and report any inappropriate use;

(2) acting swiftly in dealing with staff or beneficiary violations of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under Section 301(c) of the Foreign Assistance Act of 1961;

(3) taking necessary and appropriate measures to ensure it is operating in full compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961;

(4) continuing to report every six months to the Department of State on actions it has taken to ensure conformance with the conditions of section 301(c) of the Foreign Assistance Act of 1961;

(5) taking steps to improve the transparency of all educational materials and supplemental educational materials currently in use in UNRWA-administered schools;

(6) continuing to use supplemental curriculum materials in UNRWA-supported schools and summer camps designed to promote tolerance, non-violent conflict resolution and human rights;

(7) not engaging in operations with financial institutions, or entities of any kind, in violation of relevant United States law and is enhancing its transparency and financial due diligence and diversifying its banking operations in the region; and

(8) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board of Auditors' recommendations.

(c) OVERSIGHT.—Of the funds made available in this chapter under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, $1,000,000 shall be transferred to, and merged with, funds available under the heading ''Administration of Foreign Affairs, Office of Inspector General'' for oversight of programs in the West Bank, Gaza and surrounding region.

WOMEN AND GIRLS IN AFGHANISTAN

SEC. 21005. (a) Funds made available in this chapter for assistance for Afghanistan shall comply with sections 7062 (Women in Development) and 7063 (Gender-Based Violence) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–

8) and should be made available to support programs that increase participation by women in the political process, including at the national, regional and local levels: *Provided*, That such programs should ensure participation in efforts to improve security and political stability in Afghanistan.

(b) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the steps taken to respond to the special security and development needs of women in Afghanistan.

SOMALIA

SEC. 21006. (a) ECONOMIC ASSISTANCE.—Of the funds made available in this chapter under the heading ''Economic Support Fund'', $10,000,000 shall be available for assistance for Somalia.

(b) SECURITY ASSISTANCE.—Of the funds made available in this chapter under the heading ''Peacekeeping Operations'' for assistance for Somalia, $70,000,000 is available for equipment, logistical support and facilities for the expanded African Union Mission to Somalia (AMISOM) and for security sector reform.

(c) REPORT.—Not later than 45 days after the date of enactment of this Act, the Secretary of State, in consultation with relevant Federal departments or agencies, shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the feasibility of creating an indigenous maritime capability to combat piracy off the coast of the Horn of Africa.

(d) NOTIFICATION REQUIREMENT.—Funds made available in this chapter for assistance for Somalia shall be subject to the regular notification procedures of the Committees on Appropriations of the House of Representatives and the Senate.

ASSISTANCE FOR DEVELOPING COUNTRIES IMPACTED BY THE GLOBAL FINANCIAL CRISIS

(INCLUDING TRANSFER OF FUNDS)

SEC. 21007. (a) AVAILABILITY OF FUNDS.—Funds made available in this chapter for assistance for developing countries impacted by the global financial crisis should only be made available to countries that—

(1) have a 2007 per capita Gross National Income of $3,705 or less;

(2) have seen a contraction in predicted growth rates of 2 percent or more since 2007; and

(3) demonstrate consistent improvement on the democracy and governance indicators as measured by the Millennium Challenge Corporation 2009 Country Scorebook.

(b) TRANSFER AUTHORITIES.—Of the funds made available in this chapter under the heading ''Economic Support Fund'' for developing countries impacted by the global financial crisis—

(1) up to $29,000,000 may be transferred and merged with ''Development Credit Authority'', for the cost of direct loans and loan guarantees notwithstanding the dollar limitations in such account on transfers to the account and the principal amount of loans made or guaranteed with respect to any single country or borrower: *Provided*, That such transferred funds may be available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $2,000,000,000: *Provided further*, That the authority provided by the previous proviso is in addition to authority provided under the heading ''Development Credit Authority'' in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8): *Provided further*, That up to $1,500,000 may be for administrative expenses to carry out credit programs administered by the United States Agency for International Development; and

(2) up to $20,000,000 may be transferred and merged with ''Overseas Private Investment Corporation Program Account'': *Provided*, That the authority provided in this paragraph is in addition to authority provided in section 7081 in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8).

(c) REPORT.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit a spending plan not later than 45 days after the date of enactment of this Act to the Committees on Appropriations of the House of Representatives and Senate, and prior to the initial obligation of funds appropriated for countries impacted by the global economic crisis, detailing the use of all funds on a country-by-country, and project-by-project basis: *Provided*, For each project, the report shall include (1) the projected economic impact of providing such funds; (2) the name of the entity or implementing organization to which funds are being provided; and (3) if funds will be provided as a direct cash transfer to a local or national government entity: *Provided further*, That funds transferred to the Development Credit Authority and the Overseas Private Investment Corporation are subject to the reporting requirements in section 21003.

EVALUATING AFGHAN AND PAKISTANI CONDUCT AND COMMITMENT

SEC. 21008. (a) FINDINGS REGARDING PROGRESS IN AFGHANISTAN AND PAKISTAN.—Congress makes the following findings:

(1) Over 40,000 American military personnel are currently serving in Afghanistan, with the bravery and professionalism consistent with the finest traditions of the United States Armed Forces, and are deserving of the strong support of all Americans.

(2) Many American service personnel have lost their lives, and many more have been wounded in Afghanistan. The American people will always honor their sacrifice and honor their families.

(3) Afghanistan and Pakistan are experiencing a deterioration of their internal security resulting from a growing insurgency fueled by Al Qaeda, the Taliban and other extremist networks that continue to operate along the western border of Pakistan, including in the Federally Administered Tribal Areas (FATA), as well as in areas under central government authority such as Quetta in Baluchistan and Muridke in Punjab.

(4) The United States and the international community have welcomed and supported Pakistan's return to civilian rule after almost nine years with the free and fair elections of February 18, 2008, and have supported the development of a democratic government in Afghanistan.

(5) Since 2001, the United States has contributed more than $33,000,000,000 to Afghanistan and $12,000,000,000 to Pakistan to strengthen each country's governance, economy, education system, healthcare services, and military.

(6) The governments of Afghanistan and Pakistan must expand the writ of the national government across all provinces to secure their borders, protect their population, enforce the rule of law, and tackle the pervasive problem of corruption in order to bring security and stability to their people.

(b) REPORT.—Because the stability and security of the region is tied more to the capacity and conduct of the Afghan and Pakistani governments and to the resolve of both societies than it is to the policies of the United States, the President shall submit a report to the Congress, not later than the date of submission of the fiscal year 2011 budget request, assessing whether the Governments of Afghanistan and Pakistan are, or are not, demonstrating the necessary commitment, capability, conduct and unity of purpose to warrant the continuation of the President's policy announced on March 27, 2009. The President, on the basis of information gathered and coordinated by the National Security Council, shall advise the Congress on how that assessment requires, or does not require, changes to that policy. The measures used to evaluate the Afghan and Pakistani governments' record of concrete performance shall include the following standards of performance:

(1) Level of political consensus and unity of purpose across ethnic, tribal, religious and party affiliations to confront the political and security challenges facing the region.

(2) Level of government corruption and actions taken to eliminate it.

(3) Performance of the respective security forces in developing a counterinsurgency capability, conducting counterinsurgency operations and establishing population security.

(4) Performance of the respective intelligence agencies in cooperating with the United States on counterinsurgency and counterterrorism operations and in purging themselves of policies, programs and personnel that provide material support to extremist networks that target United States troops or undermine United States objectives in the region.

(5) Ability of the Afghan and Pakistani governments to effectively control the territory within their respective borders.

PROHIBITION ON ASSISTANCE TO HAMAS

SEC. 21009. (a) None of the funds made available in this chapter may be made available for assistance to Hamas, or any entity effectively controlled by Hamas or any power-sharing government of which Hamas is a member.

(b) Notwithstanding the limitation of subsection (a), assistance may be provided to a power-sharing government if the President certifies in writing and reports to the Committees on Appropriations of the House of Representatives and the Senate that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in subparagraphs (A) and (B) of section 620K(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378b(b)(1)).

(c) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378b(e)) with respect to the limitations of this section.

(d) REPORT.—Whenever the certification pursuant to subsection (b) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to publically accept and comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378b(b)(1)). The report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

TERMS AND CONDITIONS

SEC. 21010. Unless otherwise provided for in this Act, funds appropriated or otherwise made available in this chapter shall be available under the authorities and conditions provided in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public

Law 111–8), except that sections 7070(e), with respect to funds made available for macroeconomic growth assistance for Zimbabwe, and 7042 (a) and (c) of such Act shall not apply to funds made available in this chapter.

TITLE III—GENERAL PROVISIONS, THIS ACT

SEC. 30001. (a) Not later than October 1, 2009, the President shall submit to the Congress, in writing, a comprehensive plan regarding the proposed disposition of the detention center at Naval Station, Guantanamo Bay, Cuba, to include—

(1) a proposed disposition of individuals detained as of April 30, 2009;

(2) a determination that such disposition does not pose a risk that cannot be mitigated if such individual is prosecuted, transferred or released, including a plan for such mitigation; and

(3) a detailed analysis of the total estimated direct costs of closing the detention facility at Naval Station, Guantanamo Bay, Cuba, and any related costs, including the estimated costs of detention, prosecution, security, and incarceration in the United States of the individuals detained at such facility.

(b) The plan required under subsection (a) shall be submitted in unclassified form, but shall include a classified annex, if necessary.

AVAILABILITY OF FUNDS

SEC. 30002. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

OVERSEAS DEPLOYMENTS AND EMERGENCY DESIGNATIONS

SEC. 30003. (a) OVERSEAS DEPLOYMENTS DESIGNATIONS.—Except as provided in subsection (b), each amount in this Act is designated as being for overseas deployments and other activities pursuant to paragraphs (1) and (2) of section 423(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(b) EMERGENCY DESIGNATIONS.—Each amount in chapters 6, 7, and 8 of title II is designated as necessary to meet emergency needs pursuant to section 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESTRICTIONS AND REQUIREMENTS REGARDING THE TRANSFER AND RELEASE OF GUANTANAMO BAY DETAINEES

SEC. 30004. (a) None of the funds made available in this or any prior Act may be used to release an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia.

(b) None of the funds made available in this or any prior Act may be used to transfer an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, for the purposes of detaining or prosecuting such individual until 2 months after the plan detailed in subsection (c) is received.

(c) The President shall submit to the Congress, in writing, a comprehensive plan regarding the proposed disposition of each individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, who is not covered under subsection (d). Such plan shall include, at a minimum, each of the following for each such individual:

(1) The findings of an analysis regarding any risk to the national security of the United States that is posed by the transfer of the individual.

(2) The costs associated with not transferring the individual in question.

(3) The legal rationale and associated court demands for transfer.

(4) A certification by the President that any risk described in paragraph (1) has been mitigated, together with a full description of the plan for such mitigation.

(5) A certification by the President that the President has submitted to the Governor and legislature of the State to which the President intends to transfer the individual a certification in writing at least 30 days prior to such transfer (together with supporting documentation and justification) that the individual does not pose a security risk to the United States.

(d) None of the funds made available in this or any prior Act may be used to transfer or release an individual detained at Naval Station, Guantanamo Bay, Cuba, as of April 30, 2009, to the country of such individual's nationality or last habitual residence or to any other country other than the United States, unless the President submits to the Congress, in writing, at least 30 days prior to such transfer or release, the following information:

(1) The name of any individual to be transferred or released and the country to which such individual is to be transferred or released.

(2) An assessment of any risk to the national security of the United States or its citizens, including members of the Armed Services of the United States, that is posed by such transfer or release and the actions taken to mitigate such risk.

(3) The terms of any agreement with another country for acceptance of such individual, including the amount of any financial assistance related to such agreement.

SHORT TITLE

SEC. 30005. This Act may be cited as the ''Supplemental Appropriations Act, 2009''.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and that I may insert extraneous and tabular material on H.R. 2346.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 10 seconds.

Mr. Speaker, we have a new President who has inherited a war he is trying to end. This bill tries to help him do that. We have no real alternative but to support it. I urge support for the bill.

I reserve the balance of my time.

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

Mr. Speaker, as members of the Appropriations Committee began the process of writing this legislation, I was hopeful that the House would return to its traditional approach to considering appropriations bills under an open rule on the House floor. Unfortunately, that is not the case today.

There are Members of both political parties who have thoughtful and well-intentioned amendments that ought to receive the consideration of the full House. An open rule would ensure that each and every Member has the right and the opportunity to make a good bill even better. But Members on both sides are once again being denied this precious right.

There is one exception to this rule, however. To cover itself politically on a highly sensitive national security issue, the majority leadership has included an amendment offered by my chairman, DAVID OBEY, that is self-executed into the rule on this bill. However, the Obey amendment only pays lip service to protecting our citizens from the release of known terrorists from Guantanamo into the United States.

Mr. WOLF, who is perhaps the most knowledgeable Member of the House on this issue, offered an amendment in the full committee last week which was defeated on a straight party-line vote. Yesterday, Mr. WOLF testified on his amendment at the Rules Committee and he was denied the opportunity to even offer his amendment today on the floor.

I don't say this lightly, but on this issue the majority leadership of the House appears to be more sensitive to the rights of known terrorists than the rights of duly elected Members of this body. What a shameful exercise this has become.

House Members were initially led to believe that this legislation would be kept at the President's original level of $84 billion to fund only the critical needs of the global war on terrorism. As presented today, however, this legislation has grown to $96.7 billion since it was submitted to the Congress 5 weeks ago.

The Members know that we face many crises around the world deserving our attention and thoughtful deliberation. It was President Kennedy who a generation ago reminded us that, when written in Chinese, the word ''crises'' is composed of two characters: one represents danger; the other represents opportunity.

If there is any doubt about what we are doing, let us be mindful that the supplemental provides the necessary resources for our soldiers and civilians to wage a successful battle on multiple fronts in Iraq, Afghanistan, and Pakistan. We know that the Taliban is now increasingly emboldened and the situation on the ground in Pakistan is, at best, fragile.

Closer to our shores, the potential closure of Guantanamo has become a symbol of best intentions colliding head-on with political reality. Chairman OBEY's decision to withhold funding for Guantanamo is the clearest indication to date that the Obama administration still has no plausible plan to deal with this complex national security issue.

The President owes it to the American people and this Congress to provide a detailed plan for the potential

relocation of detainees prior to any funds being appropriated for this purpose and prior to any detainees being transferred to our shores.

As presently written, the legislation does absolutely nothing to prevent the release of detainees from Guantanamo into the United States, into our neighborhoods and communities, after October 1 of this year. These detainees, many of them well-known terrorists, trained by al Qaeda, would be released with no security risk assessment or even the prior notification of Members of Congress.

Congressman WOLF and Congressman TIAHRT each had amendments addressing this critical national security issue, and both were denied the opportunity to offer their amendments on the floor. As a result, it is now only a matter of time before known terrorists will be brought to the United States on a permanent basis.

Today, it is less clear, not more clear, what rights they will be afforded when they arrive and under what judicial system they will be tried. And, indeed, in many ways we will be treating them as though they were citizens of the United States.

The insistence of the majority leadership to consider this legislation under a closed rule is disappointing because the bulk of this emergency supplemental was put together with very serious bipartisan cooperation. It is one of the rare instances in recent times when Republicans and Democrats have largely set aside partisan differences to do what is best for our country and what is best for our troops.

I am deeply concerned about legitimate national security questions taking a back seat to political partisanship. But we must pass this legislation, even in its presently flawed form, to ensure that funds continue to flow to support our efforts to bring peace and stability around the world. I urge an ''aye'' vote on this legislation.

I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Defense Appropriations Subcommittee, the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. As all the Members know, most of this bill has been bipartisan. BILL YOUNG and I worked almost every detail out, and it is for the troops in the field and the military families at home.

For military personnel, we include—and I noticed there was a Member up not long ago who said what they did on stop-loss. Well, I will tell you who did what on stop-loss, this subcommittee, this appropriation committee did the stop-loss, put $734 million in for 185,000 military servicemembers. Recognizing the hardship placed on troops, we made sure that they will get $500 a month because of the hardship placed on them for an involuntary draft, in a sense.

Additional military pay. We had several hearings on trying to figure out how much money the military needed to take care of the shortage of pay. Finally, we came down to $2.5 billion and we added that to the bill.

TBI and psychological health. Nobody has been more in the forefront than Mr. YOUNG and myself in trying to make sure that we have money. We put an extra $100 million there.

Since 2001, there have been 42,600 diagnosed cases of PTSD and 58,000 servicemembers treated for TBI. Out at Bethesda not long ago, I just saw the new facility for PTSD.

Orthopedic research and treatment. The bill includes $68 million. Nearly two-thirds of combat-related injuries require orthopedic procedures or treatment.

Amputee rehabilitation. We put $20 million in.

Joint family assistance. The bill includes $125.1 above the request and a total of $739 million for family advocacy programs.

Yellow ribbon. The bill provides $238 million for information, services, referrals, and outreach to the reserves for that program.

We put in money for C–17s, for 130s. We put money in for Apaches, helicopters, all of these things needed in the war effort.

MRAPs. We put in new MRAPs.

Strykers. We put money in for Strykers because it takes twice as long, and these are medical care Strykers, because it takes twice as long to get people to a hospital or to medical care in Afghanistan, and this will help that situation and reduce the time it takes to get to medical care.

Bradley Fighting Vehicles.

National Guard and Reserve. We put $500 million in the bill.

Guantanamo. In the initial stages we took the money out and said give us a plan; and, of course, the chairman has developed a plan for that.

We have withdrawal timelines from Iraq, August 31, 2010.

Training Afghanistan security forces, $3.6 billion.

Pakistan counterinsurgency fund, $400 million.

And contracting.

□ 1430

And on contracting, one of the things the Secretary talks about and we talk about is that it costs us $44,000 more to have contractors in Iraq than it does to have regular troops there. And we finally said to them, Look, you've got to start taking the nationals there, putting their people to work, get the Americans or the foreign people—when I say ''foreign,'' other than Iraqis—out of the country. So we're going to get a schedule of getting the contractors down.

The report includes language directing the Department of Defense to provide monthly reports on the number of contractors in the US CENTCOM Area of Responsibility. We have a heck of a time getting this. But this bill provides the resources and capabilities needed to support deployed U.S. forces.

It is a completely partisan bill, and working with Mr. YOUNG, I appreciate his cooperation and ask the Members to vote positively on this bill.

Mr. LEWIS of California. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Speaker, I would like to say that I rise in support of the supplemental. Most of the money in this supplemental is for our troops. It is for the war on terror, and it is to take care of the soldiers that are conducting that war.

As Mr. MURTHA said, we worked together to create this legislation. In fact, the subcommittee met and all the members had an opportunity to have their input. The majority staff worked very closely with the minority staff, and we feel like we have crafted a really good wartime supplemental. So I urge the support for the supplemental, most of which is the defense part of the bill.

I want to say that I agree with Ranking Member LEWIS on the issue of Guantanamo. I don't think we have it all figured out yet. I think just to say we're going to close Guantanamo doesn't really get the job done; there's too much to it.

Last year, the Congress approved my amendment to the Defense Appropriations bill and said you can't close Guantanamo until you do two things: one, have a plan as to what you will do with the detainees; and number two, which doesn't get mentioned very often, have a plan of what you are going to do with the facilities.

As appropriators, we know that we spent close to half a billion dollars creating a medium-security holding facility and a maximum-security holding facility. They're state-of-the-art facilities. If you have to be in prison somewhere, Guantanamo is the place to be, because these are really nice facilities.

What are we going to do with half a billion dollars worth of detainee facilities? I think we need to know the answer to that. In my amendment last year, the legislation required the administration to report within 180 days of what the plan would be on those two issues. That has not happened to this day.

We can't deal with Guantanamo lightly. We can't bring terrorists who have been responsible for killing many Americans into the United States without careful consideration. My preference would be not to bring them into the United States. I may be in the minority on that issue.

But anyway, the overall bill is a good bill, and I do support it. I congratulate Mr. OBEY, the chairman, and Mr. LEWIS, the ranking member. And certainly, having worked with Chairman MURTHA to craft the defense part of this bill, it's one that we can all support without any hesitation.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY),

the chairwoman of the Foreign Operations Appropriations Subcommittee.

Mrs. LOWEY. I rise in strong support of H.R. 2346, the FY09 Emergency Supplemental. This legislation provides the resources our military, diplomatic, and development personnel need to make our Nation more secure. I was very pleased to work in a bipartisan way with KAY GRANGER.

The Obama administration's policy to defeat the Taliban and al Qaeda in Afghanistan and Pakistan is critical to prevent the region from being a base for terrorist plots against the United States and our allies. H.R. 2346 provides $3.8 billion for economic security initiatives in the region and funds our diplomatic development personnel and their security.

I welcome the administration's efforts to forge a lasting peace between Israel and the Palestinian Authority. This legislation provides economic, humanitarian, and security assistance to the West Bank and Gaza to encourage stability and political moderation. It ensures that Hamas and other terrorist organizations do not receive taxpayer funds and that a potential unity government and all its ministers publicly recognize Israel's right to exist, renounce violence, and adhere to past agreements before receiving U.S. assistance.

H.R. 2346 also provides $470 million to help Mexico fight violent narcotraffickers with surveillance aircraft, helicopters, and law enforcement equipment, and to support rule of law programs, bringing to $1.17 billion the total appropriated in 2008 and 2009 for these purposes.

The bill meets the President's request for assistance programs and diplomatic operations in Iraq to ensure a smooth transition from the military mission to a civilian-led effort.

In addition, the bill addresses significant humanitarian and development priorities by providing $343 million for refugee programs to address the growing displacement of civilians in Pakistan and other countries; $836.9 million for peacekeeping; $300 million for countries impacted by the global financial crisis, including Haiti and Liberia; and $100 million for the Global Fund to Fight AIDS, Tuberculosis and Malaria.

I urge my colleagues to support this legislation.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from California.

Mr. Speaker, this supplemental does many good things for our troops. It provides needed equipment and services so our men and women in uniform can carry out the will of this Nation, and hopefully and prayerfully, will help them to come home safely to their families. But it does present a hole in the safety for this Nation.

After October 1, hardened terrorists can come to America and eventually can be released to our streets. If they do come to America, where are we going to take them? Earlier in the discussion on the rule, the gentleman from Colorado mentioned that they could go to Fort Leavenworth. Well, Mr. Speaker, I have been to Fort Leavenworth to inspect the facilities. It is the premier training base for the United States Army. We invite many troops from other countries to come to America to Fort Leavenworth to train, to become allies, to learn how to work together to keep this country safe. Bringing these terrorists to Fort Leavenworth would actually prevent that from happening in the future. Some nations would not send their troops to America because of it. So Fort Leavenworth should not be a selected base for that purpose.

Neither do they have the facilities in the prison to house these terrorists. One of the things that was designed in the Guantanamo Bay facility is to separate the leaders from the foot soldiers because they stir up the foot soldiers should they be connected either verbally, visually, or in any method of communication. So that is prevented in Guantanamo Bay. It is created for that purpose. We've even created and built the most modern court facility so that these hardened terrorists should never have to set foot on American soil.

Now, when we have people in our own court system that we know are sexual predators, we warn people in the neighborhood to protect their children from these known sexual predators. But in this legislation, we have no notice when a hardened terrorist is going to be released on American soil, and we do know that 30 of these terrorists have been slated for release.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman another minute.

Mr. TIAHRT. I thank the gentleman from California.

We have a policy in America that if a terrorist is going to be returned to their country of origin and that country of origin is going to either torture or terminate them, we won't send them back. That's the problem we have with terrorists known as Uyghurs, terrorists of Turkish descent that are Chinese. So they are going to be released where? Back to the streets of America. This bill does not prevent that. We had legislation that would have given us that opportunity for an up-or-down vote, but it was denied by the Democrats in the majority.

Americans want to have a voice in this. Do we want terrorists on American soil or not? I say ''no.'' I want them on no Main Street in any city or town in America, but I was denied the opportunity to have that vote.

I think that even though this bill does many good things, we should remember that before October 1 we need to have a clear up-or-down vote in this Chamber on whether or not we want to allow known hardened terrorists to be released on our streets.

Mr. Speaker, in the bill itself we have a list of the top 10 toughest terrorists that are housed in the Guantanamo Bay facility on page 112.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise to enter into a colloquy with the distinguished chairman of the Appropriations Committee and the Labor-HHS Education Subcommittee, Mr. OBEY.

As we prepare to enhance our pandemic planning efforts through the supplemental funding bill before us today, I appreciate the committee providing additional funding to State and local governments that have been hit hard by the economic downturn. I am also pleased that we are taking a comprehensive approach to pandemic preparedness.

In an article in this week's National Journal, Donald Thompson, the senior program director for the medical and public health program at the Center for Infrastructure Protection at George Mason University's School of Law, noted that the U.S. has done a poor job of making sure it has enough equipment to tackle a full-blown pandemic. Currently, our national stockpile contains 104 million respirators, 51.6 million surgical masks, but only 20 million syringes.

Mr. Chairman, I appreciate the work of your subcommittee to verify that this funding bill allows HHS to purchase, replenish, and expand the Nation's delivery devices stockpile.

Mr. OBEY. Let me simply say that public health at all levels must continue to respond to this current outbreak and the increasing number of U.S. and worldwide cases, but also prepare for the potential of increased severity or for a new, novel strain to emerge. This bill will give HHS the funds needed to develop and purchase vaccines and replenish and expand Federal and State stockpiles of antiviral drugs and other necessary medical supplies, such as masks, ventilators, delivery devices, and other items.

Mr. PRICE of North Carolina. I thank the gentleman.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), a member of our committee.

Mr. COLE. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this supplemental, and, frankly, I want to congratulate the majority on the legislation. I am particularly pleased with the military portion that was worked out in negotiations between Mr. MURTHA and Mr. YOUNG. The extra dollars that were provided beyond what the administration requests I think were wise expenditures.

I certainly don't agree with everything in the bill and have my differences over process, both in the committee and more profoundly, frankly, on this floor, where I wish we had the

amendments available that my friend, Mr. TIAHRT, mentioned. But, by and large, it's a great bill and, frankly, it deserves our support.

I think we ought to stop for a minute, Mr. Speaker, and recognize the significance of the vote that we are about to take. With the passage of this proposal, President Obama, in my mind at least, effectively becomes a war President. In his campaign, he said that Afghanistan was the central front in the war on terror, and he also said, if necessary, he would move into other countries to pursue al Qaeda. Since he has been elected, I think he has actually put those views into effect in this legislation and in other actions. He has chosen a new commander; he has increased the size of our forces in Afghanistan dramatically; he has begun a civilian surge, which alters in some ways, and I think appropriately, the nature of our mission; he has requested additional forces from European countries; and, frankly, he has made it clear that he is expanding activity into Pakistan.

This is a major commitment. It's not a commitment that will be over in a year. Frankly, I suspect President Obama will be dealing with this issue throughout his Presidency, whether he's a one- or two-term President. As long as he continues to operate in this capacity, frankly, I think he deserves bipartisan support. I think a war President deserves bipartisan support from Congress. He will certainly have it from me as long as he is consistent with the principles he has laid out and operates under the advice, although reserving the final decision to himself, of the commanders on the ground.

So it's a good piece of legislation and it deserves to be passed.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. EDWARDS), the chairman of the Military Construction Subcommittee.

Mr. EDWARDS of Texas. Mr. Speaker, this is Military Appreciation Month, so it is appropriate that on the floor of this House earlier this week Members of Congress stood up and showed their support with their words for our troops. Today, we can do something even more important; we can support our military troops and their families with our deeds. That is exactly what the $3.2 billion in military construction in this bill does in four ways.

First, it includes $488 million, the same as the President's request, for five wounded warrior complexes for the Army and two complexes for the Marine Corps. These facilities support many of our most severely wounded combat troops and their families through their important recovery and healing process.

Second, this bill includes $276 million, also the same as the President's request, for 25 child development centers at Department of Defense installations.

□ 1445

These funds will provide additional child care for 5,000 military children, a high priority for our military families, especially with so many parents serving our Nation in Iraq and Afghanistan.

Third, the bill adds an additional $1 billion for Department of Defense hospital construction. Why? Because many of our military hospitals are riddled with aging inadequate structures that do not meet current standards for medical care. This is unacceptable in time of peace and unconscionable in time of war.

No Member of this Congress, no Member of the Senate, no citizen of America should want to see a return to the Walter Reed Annex 18 of several years ago when Army soldiers had to live in such deplorable conditions.

The funds in this bill would bring our total investment in military hospitals over the past year to $3.3 billion. This House will initiate the funding to modernize our DOD hospital for our troops.

Fourth, this bill includes more funds for troop housing in Afghanistan. The President's request for projects in the CENTCOM area of responsibility total $876 million, including $84 million to partially fund the foundation and utility work needed to house additional U.S. troops going to Afghanistan. This bill supports 98 percent of the request and includes an additional $214 million to fully fund the troop housing requirement in Afghanistan.

Finally I'd mention that this bill includes $263 million, the same as the President's request, once again, to accelerate and enhance the construction of new DOD hospitals in Bethesda and Fort Belvoir to replace the aging Walter Reed.

By voting for this bill, we can support our troops and their families with our deeds, not just our words. I urge our colleagues to vote ''yes'' on this bill.

Mr. LEWIS of California. Mr. Speaker, it is my pleasure to yield 1 minute to the gentlelady from Florida (Ms. BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise today in support of the supplemental funding bill that will provide the men and women of our Armed Forces with the resources that they need to do the job. Unfortunately this bill will not just fund operations in Afghanistan and Iraq. It seems to me as if my colleagues on the other side of the aisle never miss an opportunity to use the military to pack a bill with pork.

Under the pretext of funding operations in Afghanistan and Iraq, this bill is loaded with billions of dollars worth of spending that simply does not belong there. It is obvious to me that these programs do not directly impact the ability of our servicemembers to do their job. They are priorities of the majority that should be voted on separately based on their own merits.

We have a lot of questions about the Guantanamo detainees. Will they end up in Leavenworth, as the gentleman from Kansas mentioned? Will they end up in the largest Federal prison in the United States, which happens to be in my district? Let me tell you, I think Americans need to know the answer to that.

Despite the political games that my colleagues are playing, I will support this legislation because I support our troops and believe it's our responsibility to give them the tools that they need.

Mr. OBEY. I yield 1 minute to the gentleman from Maryland, the distinguished majority leader.

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

Mr. HOYER. I thank the chairman for yielding.

I urge my colleagues to support this supplemental appropriations bill, and I appreciate the bipartisan support that this bill has received. It makes vital investments in the needs of our troops, responsible policy abroad and security at home.

I want to thank Chairman OBEY and his staff for their hard work in putting this legislation together. The supplemental supports our troops, who are in harm's way, and honors their service when they return home. $1.2 billion for health and support programs for military families, $734 million to compensate servicemembers and veterans for every month their service was extended by stop-loss orders.

The supplemental also makes important commitments to our national security. It follows through on President Obama's commitment to remove all combat troops from Iraq by 2010, and it refocuses our attention on Afghanistan and Pakistan, which remain havens for terrorists seeking to destabilize the region and harm Americans.

American military involvement is an important part of our effort for a stable Afghanistan that no longer harbors terrorists. That effort also includes training Afghan security forces, police development work and a diplomatic surge.

Of the $5.1 billion that this supplemental dedicates to Afghanistan, $3.6 billion is intended for local security forces, a critical component of our objective; $980 million is for efforts to strengthen the economy and the rule of law; and $536 million is for civilian diplomacy. We've also come to understand, as President Obama has repeatedly stressed, that the stability of Afghanistan is intimately tied to the stability of Pakistan, which is under threat from insurgent Taliban.

I believe that this supplemental will help reduce that threat through comprehensive funding for counterinsurgency development and diplomacy programs in Pakistan.

But it is also essential that the Afghanistan and Pakistan governments hold up their end of the bargain. That is why this legislation requires the President to report to Congress by February of next year on the progress of

those governments in five key areas: The level of political consensus to the level of corruption, steps to eliminate it, success in counterinsurgency, cooperation of their intelligence service with our country, and the government's ability to control their own territory.

All of these are critical information points for us to have. This information will be essential to ensuring that our policy remains realistic and wise and we hope successful in this critical region of the world.

Finally, the supplemental makes a number of other important investments in our security. These include funding for pandemic flu preparedness and vaccine stockpiles, the importance of which have been dramatically demonstrated in the past weeks; funding to address violence along the U.S.-Mexico border, a priority I strongly support and observed the need for when I was in Mexico last month; and funding for important international food, refugee and disaster assistance.

I would comment briefly on the issue with reference to Guantanamo. First of all, this does not provide for the release of anybody from Guantanamo. Secondly, the President has widely said, We need a plan for Guantanamo, and is pursuing that. This language provides for that planning process to go forward. Thirdly, I would observe that almost none of those held at Guantanamo have used that courtroom, to which Mr. TIAHRT referred. That is to say, there hasn't been a finding in these cases. There ought to be findings. But in any event, I agree absolutely, and I think everybody on this floor agrees that anybody who is a terrorist ought not be released anywhere. We will have to decide how to resolve this issue. It's a thorny one.

I might observe that the former Secretary of State, Colin Powell, former chairman of the Joint Chiefs of Staff, former national security adviser to the first President Bush, observed that he thought Guantanamo ought to be closed on national television over a year ago and he said, Today, if not yesterday.

Now having said that, this President is pursuing I think a very thoughtful effort to see how that goal can be accomplished. It's a difficult one, but we need to work with him in accomplishing that objective.

I thank the chairman for his work. I thank the Chair and ranking member, Mr. MURTHA and Mr. YOUNG, of the Defense Subcommittee for the work that they've done on this to ensure that our troops have what they need to prosecute the policies of this country and to keep our citizens and the Nation safe.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

Mr. Speaker, one of the smartest things that the President did once elected and all the campaign rhetoric was out of the way, he went ahead and continued the Bush-Cheney policy in the Middle East, primarily by reappointing Secretary of Defense Gates and recognizing that the surge, in fact, worked, basically kept the plans for Iraq and Afghanistan on track, including a new surge in Afghanistan.

There was one sharp deviation from the Bush doctrine that Mr. Obama did not choose to follow, and that was his idea of closing Guantanamo even though the Guantanamo prison has proved to be effective. And we had lots of testimony from people who are in the military and security that these very bad actors need to stay in an island off continental America. That's why we Republicans in committee offered the Wolf amendment that says that if you're going to transfer the Guantanamo prisoners, that we should have the Nation's governors approve the transfers to their States before it happens.

Also that a threat assessment should be done. Now to their credit, the majority party did put in some language that says the President shall submit to Congress in writing a comprehensive plan before October 1, and we're happy about that. But what this plan does not do, it does not require a risk assessment.

Releasing the detainees to American soils could cause problems, and we would also like to see the security assessment include what its impact could be on the safety of American citizens. Also it does not require notification to Congress, governors, State legislators or local communities. We believe that much courtesy should be done. And it does not require the consent of the State governor.

Why is that important? It's interesting to note that when the President was recently in Europe, trying to ask them to take some of the Guantanamo prisoners, they all declined. All the European, all the EU countries want us to close it, but they won't take any of these prisoners. What does that say?

Mr. OBEY. I yield 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Thank you, Mr. Chairman, very much.

We are in agreement on three things that we want to accomplish: We want to win the war against violent extremism, we want to punish those people who are responsible for harming or intending to harm Americans, and we want to make all Americans as safe and secure as possible.

Now, we are engaged in a long war. It is a war against violent extremism, but it will continue forever unless we understand the elements that the enemy is using against us because it's not a war that will lend itself to any military victory.

In fact, our most effective weapon is to simply be true to the values and principles that define who we are as a Nation. And the most lethal weapon that the enemy has in its possession is to point out those instances where we have not been true to our values and principles, where we have been hypocritical, where we have yielded to fear of the unknown, where we have appealed to the most basic instincts. We are a better nation than that.

That's why Guantanamo is important, because there are a limitless number of young impressionable men who, in fact, will be recruited by the enemy for generations to come if we don't stand up and show that we are true to our principles.

Initially in the first few years of the Afghan war, 772 people were rounded up, very few by American forces. They were turned over by tribal chieftains for bounties, $5,000, sometimes less. We took them and put them in Guantanamo because we didn't know what to do with them. We interrogated virtually all of them to see what they might know, whether or not we knew that they had been involved in any hostile action against the United States. And, in fact, 85 percent of them we know were not involved in any hostile action against the United States.

Now we are faced with a decision. Do we move forward with a policy that is obviously causing us to lose ground in this war against violent extremism? Or do we change course? And what we are urging—not in this bill because this bill simply requires us to put together a plan.

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

Mr. OBEY. I yield the gentleman 30 additional seconds.

Mr. MORAN of Virginia. The fact is that Guantanamo is not the punitive place that it used to be, but it does not serve our purposes to keep it open.

We have courts of justice. If people have committed harm against the United States, they need to be prosecuted. They need to be punished. It's not going to work if we try to do that at Guantanamo. And those who we don't have evidence against are going to have to eventually be released.

□ 1500

Now, you know this really is about seizing and holding the moral high ground. And it is about who we are as Americans. That is the only way we win this war against violent extremism.

Mr. LEWIS of California. Mr. Speaker, could I inquire the time on both sides.

The SPEAKER pro tempore. The gentleman from California has 13 minutes remaining.

The gentleman from Wisconsin has 13½ minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield 4½ minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, Simon and Garfunkel have a song that they sang in Central Park called ''The Boxer.'' And in it, it says ''Man hears what he wants to hear and disregards the rest.'' To a certain extent, the Congress is

just hearing what it wants to hear and disregarding the rest. Eric Holder and the Justice Department was ready to release into our neighborhoods some of these people almost 2 weeks ago. I first wrote the Attorney General on March 13, 2 months ago, to ask a series of questions. And I share what my friend from Virginia said. We are shutting down Guantanamo. That is not the issue that you are dealing with here. You are dealing with what are you going to do and what plan do you have as you shut it down.

On April 23 I wrote a second letter to Eric Holder of the Justice Department asking some other questions, just asking, what is your plan? How are you going to deal with the holding of it? What metropolitan areas will it be? I raised a number of concerns. And, again, no response. The other day we did another letter, the third letter. And when we were in the committee, some of the Members didn't know and said they could be removed and they could not be removed until they checked with the Congress, and that was not the case because Eric Holder was ready to move them out without making a report. What type of security will they go to? Let's just get a report.

This administration needs to be upfront with the Congress. And if the Congress doesn't have this desire to know, then at least they ought to be upfront with the American people because I think the American people know. Do all the Members of Congress know the State Department listed the ETIM, which the Uyghurs are a part of, as a terrorist organization in 2002, the same year the embassy in Beijing indicated ETIM planned an attack on the U.S. embassy in Kazakhstan? Do all the Members know that this group's militants fought alongside al Qaeda and Taliban in Afghanistan? Does the Congress know that a month ago the Obama Treasury Department, to its credit, targeted al Qaeda support network by designating Abdul Haq, the overall leader and commander of the Eastern Turkistan Islamic Party, as a terrorist?

Does the Congress know and should the American people know that Abdul Haq raised funds and recruited new members to further the terrorists' activities? Does anyone know that in 2005, Haq was put on the Sharia Council for al Qaeda? Does anyone know that in early January '08, Haq directed that this group commander attack various Chinese cities, particularly the Olympics? Frankly, I was disappointed that President Bush went to the Olympics. But there were a lot of American citizens there.

So we are asking questions before they do this. And sometimes I think some people are trying to say that it is not about closing Guantanamo Bay or not. Guantanamo Bay, whether you like it or not, is going to be closed. What we are talking about is how do you dispose of and what do you do to the detainees?

And, frankly, this Congress sometimes—we now sit on interrogation memos. No one wants to say that they knew anything. Well, the Congress ought to know everything. If you have the oversight responsibility, you ought to be willing to have it and hold it. So that is what we are saying, nothing more. And I appreciate Mr. OBEY adding some good things in there. I want to pay tribute that he has. And I appreciate it. But I was foreclosed in the committee. And I thought we would have a unanimous bipartisan vote, and we were shut out. So we are just asking.

Three letters, Eric Holder says, ''O, I will not answer the letters. And, lastly, no FBI agent was able to come to my office, or I understand other offices up here on the Hill, to give them a briefing. As I said earlier, that if Attorney General Ashcroft——

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

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. WOLF. If Attorney General Ashcroft had prohibited FBI agents from coming to the Hill to speak to Senator LEAHY, you would have heard about it on both sides of the Hill, on both sides of the aisle. And you should have heard about it. We are saying that before they move them, before they close it, we want to see a plan.

Mr. OBEY. I yield 30 seconds to the gentleman from Vermont.

Mr. WELCH. Mr. Chairman, among others, dairy farmers are facing an enormous crisis. And there is some possibility that the Senate may add in the supplemental some money for the milk program. And my request is that you would take that into consideration as best you can.

Mr. OBEY. Let me simply say that, representing a lot of dairy farmers myself, and being a former cosponsor of the milk program, I obviously would like to see additional help provided to them. The Appropriations Committee is not the committee of jurisdiction. So we would need to work out something with the White House and the proper authorizing committee. But we are open to any reasonable suggestions.

Mr. WELCH. I appreciate your efforts.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the Republican conference chairman, MIKE PENCE.

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

Mr. PENCE. Mr. Speaker, I thank the distinguished ranking member for yielding. I rise today in support of the military funding in H.R. 2346, the fiscal year 2009 war supplemental appropriations bill, which will provide nearly $85 billion to support our men and women serving in Iraq and Afghanistan, those that every day make the sacrifices necessary to ensure our freedom and that of our posterity.

Overall this legislation does reflect a bipartisan effort to provide necessary war funding and essential support for our men and women in uniform. I am particularly pleased that it does so without arbitrary benchmarks and timetables for withdrawal that had been so much the debate of war supplementals in recent years in this Congress. I'm also pleased that none of the funding requested by the administration related to Guantanamo Bay has been included.

And I take this opportunity to commend the distinguished chairman of this committee for his judgment and discretion in leaving out any funding for the purpose of closing Guantanamo Bay. President Obama was simply wrong to announce plans to close Guantanamo Bay without any plan for what to do with the dangerous terrorist detainees who remain there to this day. The American people deserve to know that this Congress and this government are putting their safety and their interests above world opinion in decisions about terrorist detainees. And this legislation, in failing to provide any funding for closing Guantanamo Bay, puts the interests and the security of the American people first.

I do regret that the amendment authored by the gentleman from Virginia who just spoke, Mr. WOLF, was not included in this legislation, an amendment that would have prohibited the transfer of any terrorist detainee within the next calendar year. And I hope for additional language in the conference report.

Now, while I support this war funding bill, let me say on the floor of this Congress, I believe a war supplemental bill ought to be about war funding and war funding alone. It should not include the literally billions of dollars in nondefense-related spending.

Mr. Speaker, I don't have any particular objection to Congress considering and debating spending money on international food assistance or the State Department or the staff at the NSC or wildfire or avian flu or police radios. But what are they doing in a war supplemental bill? At a time when Washington D.C. appears to most Americans to be a gusher of red ink, runaway Federal spending, stimulus bills, omnibus bills, and this Congress passed a budget that will double our national debt in 5 years and triple it in 10, we can't even seem to bring a war supplemental bill that just funds the needs of our soldiers in harm's way. I believe we can do better.

I will support this bill because I support our troops. But I will continue to call for this Congress to do a service to those heroes and future generations by practicing fiscal discipline.

Mr. OBEY. Mr. Speaker, I have only one remaining speaker, myself. And I have the right to close. I would suggest the gentleman go through his speakers.

Mr. LEWIS of California. Mr. Speaker, I have one additional speaker besides myself. I yield 1 minute to the

gentleman from California, the gentleman who knows more about Afghanistan, I believe, than any other Member of the House, Mr. ROHRABACHER.

Mr. ROHRABACHER. Mr. Speaker, I rise in support of H.R. 2346, but I do so reluctantly. I am reluctant because as someone who has spent the last 30 years studying Afghanistan and having been in and out of that country and being someone who has studied the current administration's plan, I am sorry to say that the current administration's plan will not work. It is doomed to failure.

Thus we are here allocating money, supplemental money, for our troops to send them overseas, but we are not backing them up with a political plan, a structure for Afghanistan that will work, that is consistent with the customs of the people of Afghanistan. Also their plan does not focus on drug eradication and how we are going to eliminate the problem in Afghanistan. How will our people succeed without the drug eradication problem that we know, the alternative that exists, that is being ignored? No. We are sending our people over. They deserve our support financially. But we should get together and work with the administration to reform their plan because it will not work.

Mr. LEWIS of California. Mr. Speaker, I neglected the fact that I have one more speaker besides Mr. ROHRABACHER. I yield to the gentlewoman from Kansas (Ms. JENKINS) 1 minute.

Ms. JENKINS. Mr. Speaker, the President initially received praise for signing an executive order to close the detention facility at Guantanamo Bay. Unfortunately, this decision was not accompanied by a comprehensive plan to relocate the detainees after the closure. I have not found many folks either at home in Kansas nor here in Washington who would be happy to welcome the detainees as their neighbors. One place I am particularly convinced they should not be located is the disciplinary barracks at Fort Leavenworth, Kansas. Little known to many outside of the military and those of us from eastern Kansas is the fact that Fort Leavenworth is home to the Command and General Staff College, a 115-year-old program at the fort that has trained more than 7,200 officers, including Generals Eisenhower, Marshall, McCarthy, MacArthur, Bradley, Arnold, Powell and Petraeus.

The CGSC not only trains our military leaders, but each year students from nations around the world study there. If suspected terrorists are held at Fort Leavenworth, out of protest or out of safety concerns, many of our allies would stop sending their military officers to train there.

Mr. LEWIS of California. Mr. Speaker, as we close down this discussion, I want to take just a moment to, one more time, express both the chairman's and my deep appreciation for the very fine work that is done by our staff on both sides of the aisle, especially in this case, the defense subcommittee staff, but beyond that the leadership of the staff from the full committee as well.

Mr. Speaker, we have all noticed by way of the media in the last several weeks that it is one thing to kind of wallow in rhetoric of the campaign trail when one is running for national office. It is an entirely different thing when you are elected President of the United States and then have to implement the policies that some of that rhetoric may affect. The recent discussion regarding intelligence, secure papers, should they be revealed or made public or not made public, is evidence that the President, our President Obama, is learning that reality very quickly.

In the Guantanamo circumstance, the rhetoric said, We should close Guantanamo. I would suggest that as the President moves forward and really learns about these people who are largely trained by al Qaeda, who are committed to jihad and the destruction of our way of life, long before a plan comes forward, I'm sure the rhetoric will be considerably different, or the implementation will be considerably different than the rhetoric. From there, this bill is a bill that reflects largely funding for our national defense, great work done between both sides of the aisle regarding the needs of our military. Because of that, this bill must go to the President's desk. And I urge our Members to give an ''aye'' vote.

I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, there is an old story about a second baseman for the old New York Giants, Eddie Stanky. Leo Durocher was the manager of the club. And during spring training, Durocher was hitting ground balls to the infield, and Stanky dropped two in a row. And so Durocher said, Kid, give me the glove. I will show you how it is done. So he went out to second base, and the very first ball hit to him Durocher dropped. And he turned to Stanky and said, Hey, kid, you got second base so screwed up, nobody can play. That is pretty much the situation that we face with respect to Iraq and Afghanistan.

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And this bill spends $97 billion because we're in a mess. After 9/11, the Bush administration went after al Qaeda hiding in Afghanistan. That was a perfectly understandable response. They hit us and we tried to hit them back. But then the administration diverted their attention and their resources to a tragically wrong-headed war in Iraq, a country with no connection to 9/11.

Seven years later, 33,000 American casualties later, more than 4,000 American deaths later, we now have a new President who has a commitment to try to end American combat in Iraq. He's also confronted with the mess in Afghanistan, which is made much worse because of the diversion of attention that should have been focused on that country over the past 7 years. And that job is made even more difficult because of the impact of events in Pakistan on Afghanistan.

Now, the President cannot wave a magic wand and end that war. He has inherited what I consider to be the worst foreign policy mess from his predecessor in the history of the country, a three-country regional mess. Now, he has decided that he will try to refashion our efforts in Afghanistan to give us a better chance to stabilize the situation. I hope I'm wrong, but I am forced to say that I significantly agree with the gentleman from California. I have a profound doubt that he can succeed, not because of any problem with his policy but because I am dubious that there are the tools available in that region for us to succeed using any policy. The tools we have to rely on for want of any others are the Government of Pakistan and the Government of Afghanistan. And I feel that they are both hugely unreliable reeds to lean upon, which is why I think that in that region we are unfortunately in an Eddie Stanky situation, because those governments are corrupt, they are weak, they are chaotic, they appear to lack the focus and cohesion and effectiveness to turn the countries around.

Nonetheless, it's clear to me that there is a consensus to try to do something to stabilize the situation. If we're going to go down that road, I want the President to get everything that he asked for and then some to maximize his chances for success. And that is what this bill does. I frankly have very little faith that it will work.

I came here in 1969, 3 months after Richard Nixon became President. I was vehemently opposed to the Vietnam War. But Nixon correctly pointed out that he had inherited that war from his Democratic predecessor, Lyndon Johnson. And so I thought, well, it's reasonable for him to ask for some measure of time to see whether he could move the policy forward. So I decided to give him a year before I started speaking out against the war, and that's what I did. I'm pretty much in the same situation today, and that's why this bill contains the following language.

It says: ''Because the stability and security of the region is tied more to the capacity and conduct of the Afghan and Pakistani Governments and to the resolve of both societies than it is to the policies of the United States, the President shall submit a report to Congress not later than the date of submission of the fiscal year 2011 budget, assessing whether the Governments of Afghanistan and Pakistan are, or are not, demonstrating the necessary commitment, capability, conduct, and unity of purpose to warrant the continuation of the President's policy. The President, on the basis of information gathered and coordinated by the NSC, shall advise the Congress on how the

assessment requires, or does not require, changes to that policy. The measures used to evaluate the Afghan and Pakistani Governments' record of concrete performance shall include the following standards of performance:

''Number one, level of political consensus and unity of purpose across ethnic, tribal, religious, and party affiliations to confront the political and security challenges facing the region.

''Two, level of government corruption and action taken to eliminate it.

''Three, performance of the respective security forces in developing a counterinsurgency capability, conducting counterinsurgency operations, and establishing population security.

''Four, performance of the respective intelligence agencies in cooperating with the United States on counterinsurgency and counterterrorism operations and in purging themselves of policies, programs, and personnel that provide material support to extremist networks that target U.S. troops or undermine U.S. objectives in the region.

''Five, ability of the Afghan and Pakistani Governments to effectively control the territory within their respective borders.''

So there are no deadlines, no conditions, no timelines. But there are very clear measurements against which we should be able to judge the performance of the Afghanistan and Pakistani Governments. I believe that if this policy fails, it will not fail because of any lack of imagination or effort on the part of this administration.

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

Mr. OBEY. Mr. Speaker, I yield myself another 5 minutes.

If that policy fails, in my judgment it will fail because of the failure of the two governments in the region to do what's necessary to save their own countries.

I hope I can come here a year from now when we are evaluating the President's policy and evaluating the performance of those two governments. I hope I can say my judgment was wrong, these countries have performed far better than we expected. But only time will tell. I think we have no choice but to give the President a shot. It's a miserable situation that he has inherited, and he does not have a good hand to play.

Having said that, I also want to note that, in addition to dealing with this problem, we deal with a number of other problems in this bill. We deal, as the gentleman from Wisconsin (Mr. KIND) indicated, with the need to renew our ability to provide farm loans. We deal with the need for additional food aid around the world. We deal with the need to add $500 million to the President's request to deal with the pandemic flu problem that could be facing us. We've had over 11,000 layoffs of public health officials at the State and local level, and that is not going to stand us in good stead if we have to deal with the flu pandemic, so we're trying to fill those holes.

So let me simply close, Mr. Speaker, by saying this is a bill that I have very little confidence in, but I have a responsibility as committee chairman to move the process forward. I think we have a responsibility to give the new President, who did not get us into this mess, the best possible opportunity to get us out of it. So that's what this bill attempts to do. I make no apology for it. I urge support for it.

I want to thank the staff especially for their work, especially led by Beverly Pheto of the central office and the staff members on both sides of the aisle. I appreciate the hard work done by the Appropriation subcommittee Chairs and ranking members and other members of the committee as well. I appreciate the frustration of each and every Member of this House.

This is a no-win bill no matter how you vote on it. It's a mess. And let's hope that with God's help we can get out of it in a reasonably decent time.

Mr. BECERRA. Mr. Speaker, this past November 2008, the American people made a decisive choice to change the course of American policy. We wanted change. We asked for change. And that's what we got. Today we vote to set in motion further change in the conduct of our foreign and national security policy. H.R. 2346, the Supplemental Appropriations Act of 2009, asks us to make some tough choices to achieve that change.

President Barack Obama is prepared to make the tough choices. I believe we must step up to the plate and do the same by voting for H.R. 2346. It is the right choice to responsibly redeploy our troops from Iraq, to secure and stabilize Afghanistan and Pakistan, and to aggressively pursue every avenue of diplomacy to secure international support and cooperation for new policies that will lead to lasting security and prosperity for every corner of the world.

Some might question aspects of the President's strategy. Some might think we can move faster, farther, or smarter. That could be right. But in its totality, this proposal is far-reaching yet pragmatic about the facts we face on the ground in today's global hot spots.

In addition to funding for military operations, this measure includes a number of important policy provisions and support for the tools of ''soft power'' that will save lives. It is high time that we make real investments in American diplomacy—investments that put men and women in suits on the frontline before placing our men and women in uniform in harm's way. The Supplemental Appropriations Act extends the prohibition on construction of permanent military bases or installations in Iraq and Afghanistan. The President will be required to provide Congress with a detailed plan to close the detention facility at Guantanomo Bay. And this legislation will compensate our troops who have had their service compulsorily extended.

Mr. Speaker, make no mistake, I am troubled by the Iraqis' lack of progress in taking control of their security and economy. I am concerned about how we will navigate the treacherous waters of Afghanistan and now Pakistan. I firmly believe our government and our military must have a coherent exit strategy in the region. Yet I see in this legislation the elements of a long-term strategy to change the course of affairs in a challenging part of the world where we cannot go AWOL.

These are tough times filled with tough choices. But, today, the world believes we are ready to lead. Let us support the President. Give him a chance to take our country in a new direction. Let us pass the Supplemental Appropriations Act of 2009.

Mr. NADLER of New York. Mr. Speaker, I rise today to reluctantly support the Supplemental Appropriations Act of 2009, H.R. 2346.

A lot has changed since we last voted on supplemental spending bills for the wars in Iraq and Afghanistan. The American people have spoken and we have elected a new President who has promised to end the conflict in Iraq. The President ordered a full review of our military policy and announced a firm date for the removal of combat troops from Iraq—August 2010. It is not as early as I would have liked, but he has announced that the end is in sight and he will draw that conflict to a close. This bill is consistent with that plan to safely redeploy our troops out of Iraq.

I am, however, deeply concerned about our plans for Afghanistan. Immediately following the attacks of September 11, 2001, I fully supported the initial war in Afghanistan. I support our efforts to destroy terrorist training camps and to pursue and defeat Al-Qaeda wherever it may be. I support providing the military equipment and support to our troops that they need to ensure their safety.

I am more concerned, frankly, with the problem of mission creep. It is one thing to seek to ensure that Al-Qaeda cannot use sanctuaries in Afghanistan to plan attacks on the United States. It is quite another to seek to remake Afghanistan. I doubt very much that we will be able to eradicate their poppy crops, end corruption, and ensure equal rights for all in Afghanistan. Nor is it our job to remake Afghanistan.

I am voting for this bill today, because it provides the funds for an orderly withdrawal from Iraq to an Administration I trust to arrange such an orderly withdrawal as soon as possible. It also supplies funds for aid to Israel, for combating HIV/AIDS, for combating the swine flu, and for many other worthwhile projects. But I want to be clear. I will not support an open-ended long term commitment in Afghanistan. I am concerned that the goals may very well be too ambitious, too vague, and too costly—in lives and treasure—for our country. I will continue to monitor the situation closely, and I will oppose funding for unrealistic mission creep.

I do not take these votes lightly, and these votes do not occur in a vacuum. As circumstances both on the ground and, quite frankly, within the United States government change, each vote for military funding must be considered on its own merits. At this point, with a new Administration here in the United States and with the situation in Afghanistan and Pakistan particularly dire, I have decided to vote in favor of the Supplemental Appropriations Act.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to thank Chairman OBEY and Ranking Member LEWIS for their leadership in bringing this important and timely legislation to the floor. H.R. 2346, the Supplemental Appropriations Act establishes funding levels for defense, international affairs, and influenza preparedness, and also addresses a number of key issues, including conditions on aid to Pakistan, assistance to North Korea, and the status of President Obama's plans to shut down

the Guantanamo Bay prison. The Administration requested a net total of $83.4 billion in additional supplemental appropriations for FY2009, comprised of $86.8 billion in new appropriations, offset by $3.4 billion of recessions of previously appropriated funds. H.R. 2346 increases the Administration's request by over $11.8 billion for a total of $96.7 billion. It includes:

Defense. Providing a total of $84.3 billion for the Department of Defense, including military construction, an increase of $8.5 billion to the request of $75.8 billion (net of offsetting rescissions).

International affairs. Providing a total of $9.4 billion for international affairs programs (including P.L. 480 food assistance), an increase of $2.4 billion compared to the request.

Influenza preparedness. Providing $2.05 billion for influenza preparedness, an increase of $550 million over the $1.5 billion requested. Of the total in the bill, $1.85 billion is for the Department of Health and Human Services and the Center for Disease Control & Prevention to supplement federal stockpiles, develop and purchase vaccines, and to expand detection efforts. It includes $350 million in unrequested funds to assist state and local governments in preparing for and responding to a pandemic; and $200 million also unrequested, to support global efforts to track, contain, and slow the spread of a pandemic in the foreign affairs budget for Global Health and Child Survival.

Mr. Speaker as you know, Texas was hit especially hard by the H1N1 virus. The only two deaths from complications with the virus were in Texas, the first—a toddler visiting my district.

North Korea. Rejects a request for $34.5 million in Department of Energy non-proliferation funds to dismantle nuclear facilities in North Korea and rejects $95 million requested for energy assistance to North Korea in the foreign assistance accounts.

Aid to Pakistan. Provides $400 million to the Department of Defense, as requested, for the Pakistan Counterinsurgency Fund to finance training and other assistance to the Pakistani military. The Chairman's mark of the bill originally transferred the funds to the Department of State, but Representative OBEY offered a manager's amendment at the beginning of the committee markup that restored the funds to the Department of Defense. In the foreign assistance portion of the bill, $897 million, ($91 million above the request), is provided for construction of facilities and for diplomatic operations in Pakistan and $529 million of economic assistance.

Conditions on assistance to Pakistan and Afghanistan. Administration officials strongly objected to legislated benchmarks on the performance of the Pakistani government, arguing that conditions on aid would not improve U.S. leverage but would more likely foster resistance to U.S. efforts. Instead of setting benchmarks tied to funding, the Committee included a requirement that the President submit a report to Congress no later than February 2010, when the FY2011 budget is submitted, evaluating the conduct and commitment of the governments of Afghanistan and Pakistan. The report is to include assessments of each nation's level of political commitment to confront security challenges; level of corruption and efforts to counter it; performance of security forces in counterinsurgency operations and in establishing population security; intelligence cooperation with the United States; and the ability to effectively control its territories.

Closure of the Guantanamo Bay Prison. The Committee did not authorize the Administration request for $50 million for the Department of Defense to transfer prisoners out of the Guantanamo Bay facility nor did it seek to appropriate the $30 million requested for the Department of Justice to create a task force to facilitate legal activities associated with the closure.

Border security and counternarcotics assistance to Mexico. Approving $350 million requested for the Department of Defense for counternarcotics activities on the Mexican border, including up to $100 million for transfer to other federal agencies. In the foreign aid chapters of the bill, $160 million is provided for Mexico in the International Narcotics Control and Law Enforcement (INCLE) account. This bill will also add $310 million for Mexico in the Foreign Military Financing Program for surveillance planes, helicopters, other equipment, and support activities.

These are truly efforts that the people in my district are dealing with each and every day. As a Subcommittee Chair on the Homeland Security Committee, I am working daily to ensure that we address the violence spilling over from Mexico by coordinating law enforcement efforts and working with our Border Patrol personnel.

PAKISTAN

I have been to Pakistan many times. My belief in this country and its relationship with the United States drove me to co-chair the Pakistan Caucus. This year alone, I have participated in two Congressional Delegation Trips to Pakistan, and I am very passionate about diplomatic relations between our two countries.

Recently we have focused on the internal conflicts in Pakistan; yet we must not forget the external issues affecting the region as a whole and the need for stabilization.

Over the years, our assistance to Pakistan has fluctuated with political events, sending mixed messages and leading most Pakistanis to question both our intentions and our staying power. Today, many Pakistanis believe the United States will cut and run when it serves our purpose, a belief which undermines our long-term efforts to defeat extremists, foster democratic change, support transparency, and assist institutions that promote security and stability in Pakistan.

However, the status quo is not working; while many in the United States believe we are paying too much and getting too little—most Pakistanis believe exactly the opposite. Without changing this baseline, I must agree with the Administration; that there is little likelihood of drying up popular tolerance for anti-U.S. terrorist groups or persuading Pakistani leaders to devote the political capital necessary to deny such groups sanctuary and covert material support. We must continue to support Pakistan if we want a stable Middle East and an end to the wars in Iraq and Afghanistan.

MILITARY AND STOP-LOSS

Finally, Mr. Speaker I want to touch on an issue that is affecting many military men and women in my district and in the nearby community that houses Fort Hood. The largest active duty armored post in the United States, and is the only post in the United States that is capable of supporting two full armored divisions. This bill seeks to appropriate $734 million in unrequested funds for additional pay for more than 170,000 servicemembers who have had their enlistments involuntarily extended since Sept. 11, 2001.

This total allows for payments of $500 per month for every month servicemembers were held on active duty under ''stop-loss'' orders. As you know, stop-loss is a practice that has prevented tens of thousands of our active-duty military servicemembers, and reservists from leaving military service on time if they were scheduled to deploy to Iraq or Afghanistan. More than 13,000 soldiers remain unable to exit the military under the policy, known as stop-loss, which was put in effect after the attacks of September 11, 2001, and then expanded in 2004 as the Army struggled to sustain two large war efforts.

Some 120,000 soldiers have been affected by stop-loss in its various forms since 2001. Even Secretary Gates said that stop-loss ''amounted to breaking faith with those in uniform.'' Secretary Gates recently announced a timetable that would cut in half by June 2010 the number of troops affected by stop-loss, with the practice all but eliminated by March 2011. I applaud his efforts and those made by Congressman MURTHA and Chairman OBEY with H.R. 2346.

For the number of troops affected by stop-loss increased sharply under the troop increase for Iraq that President George W. Bush ordered in early 2007. According to Pentagon statistics, 13,200 people are now under stop-loss orders: 4,458 in the Army National Guard, 1,452 in the Army Reserve and the rest from the active component.

At its core, the stop-loss policy meant that all troops headed to Iraq and Afghanistan would remain in service throughout their unit's deployment—even if the time on an individual soldier's enlistment contract expired before the deployment ended. The Army has said the rule was required not just to sustain the numbers necessary to carry out two wars, but also to maintain continuity in leadership and cohesion within units that trained for and then were deploying to war.

This policy has been abused for far too long, and like the wars in Iraq and Afghanistan—it must end soon. It is a strain on our troops and their families.

I urge my colleagues to think of these reasons along with the many others as they cast their votes today. We must support those that wish to serve, are currently serving, and have served our great Nation. This supplemental appropriation will do just that.

Mr. HOLT. Mr. Speaker, I will support this bill, albeit very reluctantly.

This supplemental appropriations bill contains a number of provisions I'm pleased to support. This bill provides long-overdue retroactive ''stop loss'' compensation payments to more than 170,000 servicemembers who had their enlistments involuntarily extended. It also provides nearly $5 billion for additional Mine Resistant Ambush Protected (MRAP) vehicles for U.S. forces in Afghanistan and Iraq. The bill renews our commitment to meaningful engagement in the Middle East by providing Israel with $555 million of the $2.8 billion of the 2010 request for security assistance, as well as $665 million in bilateral economic, humanitarian, and security assistance for the West Bank and Gaza. I am also pleased that the bill provides $2 billion for pandemic flu response, as well as $500 million for global

emergency food assistance. These are all worthy and necessary expenditures.

As the chairman of the Select Intelligence Oversight Panel (SIOP), I want to briefly discuss our work on this bill. The SIOP reviewed the intelligence activities contained in this request. While the dollar amounts are classified, I can tell my colleagues that this bill contains many of the same justifiable activities we have seen in previous years with two exceptions. The first exception is the administration's request, which this bill includes, for additional funding for the operations in Afghanistan. Intelligence has been a vital component of our overseas military activities, and this bill ensures that proper intelligence will be available to those on the front lines in Afghanistan. The second exception is that this administration has begun the process of shifting continuing activities from emergency supplemental bills to the base appropriations bill.

Overall, however, I have grave concerns about the direction of our spending and policy focus in Afghanistan. I recognize that this conflict was neglected for far too long because of our misadventure in Iraq and that we are now paying the price for that neglect. I am concerned that in our haste to try to recover lost ground—literally as well as figuratively—we may commit some of the same errors that bedeviled our efforts in Iraq.

I have heard many people in this body and elsewhere in our government say that ''the United States cannot afford to lose in Afghanistan.'' That statement presumes that it is a war that is solely ours to win or lose—that the outcome will be decided by our willingness to commit still more blood and treasure to this conflict. That is a fallacy, the same fallacy that caused us to misdirect our efforts in Iraq for so long with such disastrous consequences. We would do well to remember what U.S. counterinsurgency specialist William Polk said in his 2007 book Violent Politics:

> We should begin by noting what is common to all insurgencies. No matter how they differ in form, duration, and intensity, a single thread runs through them all: opposition to foreigners.

As in Iraq, we cannot solve the Afghan's problems for them; we are foreign occupiers of their country and will forever be seen that way by the population. We can support them in their effort to build a stable and just society, but they must be the leaders in that effort.

To that end, we should also bear in mind the words of the authors of the current U.S. Army and Marine Corps Counterinsurgency Field Manual:

> Long-term success in [counterinsurgency] depends on the people taking charge of their own affairs and consenting to the government's rule . . . Political and military leaders and planners should never underestimate its scale and complexity; moreover, they should recognize that the Armed Forces cannot succeed in [counterinsurgency] alone.

The supplemental appropriations bill before us spends $47.7 billion on the ongoing military operations in Afghanistan and Iraq compared to $4.3 billion for international affairs and stabilization activities in Iraq, Afghanistan, and Pakistan. Perhaps the ratio should not be reversed, but it should certainly be far more balanced than it is—and there should be some type of timeline for the transition of security responsibilities from our forces to the government of Afghanistan.

My recent visit to Iraq with Speaker PELOSI convinced me that the certainty of our withdrawal from that country has focused the minds of Iraq's leaders on the need to deal with their many unresolved domestic problems. We need to create that same sense of urgency among Afghanistan's leaders, but I fear that this bill will not have that effect. I intend to join like-minded House colleagues in seeking ways to create that sense of urgency in this body, and ultimately on leaders in Afghanistan and Pakistan. As a first step, I have co-sponsored a bill by my friend from Massachusetts, Representative JIM MCGOVERN, that would require the Secretary of Defense to present to Congress an exit strategy for Afghanistan. The conflict in Afghanistan, and the emerging conflict in Pakistan itself, cannot be solved by us through military means—it can only be solved politically through a joint effort by us and our allies. I hope we will be able to begin making that transition in the Fiscal Year 2010 budget later this year, and by passing Representative MCGOVERN's bill as soon as possible.

Mr. HONDA. Mr. Speaker, today, I will vote against H.R. 2346, the Supplemental Appropriations Act of 2009. While I have great faith in the new Obama administration and support many of the provisions within the supplemental, I have a number of concerns that precluded me from supporting the bill in its current form. I recognize that our new administration believes that this supplemental is a necessary carryover from the previous administration, but I cannot support the continuation of the Bush Administration's failed modus operandi in Afghanistan, Pakistan, and Iraq, and the mis-proportioned 90–10 doctrine of assistance allocation—that is, 90 percent for military investments and only 10 percent for political, economic, and social development.

For the past several weeks, I have been working with Congressional Progressive Caucus (CPC) Co-chair GRIJALVA to convene a series of panels featuring Afghan and Pakistani diplomats and security experts to discuss a variety of security issues related to Afghanistan and Pakistan. As I reported to President Obama in early May on behalf of the CPC, this six-part forum has produced a number of recommendations for essential elements that should be a part of our strategy going forward, including: (1) building the countries' infrastructure, industry, markets and workforce; (2) involving local leaders at all levels of decision-making; (3) supporting the countries' most effective indigenous reconstruction, stabilization and conflict resolution strategies; (4) educating girls and integrating women into political and economic leadership; and (5) ensuring oversight so that foreign resources support the goals mentioned above.

This Supplemental represents our first opportunity to correct the failed approaches of the past, but unfortunately we have not done so. Going forward, I hope that we can work closely with the President to ensure a policy more aligned with the 80–20 model often quoted by General David Petraeus, which would invest 80 percent of resources into political capacity and institutions with only 20 percent for military.

In this regard, I, along with other members of the Progressive Caucus, have presented our findings and specific recommendations to our colleagues in Congress, with the intention of informing and improving U.S. policy in Afghanistan and Pakistan. Again, while I am not supporting this current Supplemental, I was pleased to hear in our meeting with the President, that his FY2010 budget request will move in this direction.

Ms. MOORE of Wisconsin. Mr. Speaker, I share the concerns raised by many about whether this bill reflects the ''perfect'' strategy for Afghanistan and Iraq.

The stakes are high in Afghanistan and the challenges are complex. As then-Senator Barrack Obama noted in July 2007, ''the Afghan-Pakistan border region is where the 9/11 attack was plotted. It is where most attacks in Europe since 9/11 originated. It is where Osama bin Laden lives and his top confederates still enjoy safe haven, planning new attacks. And it is where we must urgently shift our focus . . . using the totality of America's strength, not merely our military, incredible as it is.''

For the first time since I have been here in Washington, discussion about a supplemental has focused on where most of our efforts since 9/11 should be: Afghanistan.

I am encouraged that we finally have a President who is committed to a redeployment of our troops from Iraq so that we can focus on where the threats from Al-Qaeda originated on September 11 and which unfortunately we have seen the threat to our country, to Afghanistan, and to Pakistan grow in the past few years. The Supplemental is consistent with the President's plan to begin winding down the number of combat troops in Iraq over the next several months.

While I wish we did not need to have military forces in Afghanistan, the deteriorating security situation will necessitate more U.S. troops—at least for a time—to help ''disrupt, dismantle, and destroy'' safe havens for Al-Qaeda. Creating a situation in Afghanistan that prevents the return of the Taliban and al Qaeda is clearly a priority for our national security.

It's a decision I take with a heavy heart and after much deliberation. I err on the side of peace. I never look forward to sending more of our brave young soldiers to the battlefield or for war. Yet, it is unfortunately clear to me that military forces must continue to be a part of our effort in Afghanistan to help protect innocent Afghan civilians.

This increase in forces must be accompanied by clear guidelines to minimize civilian casualties that have only inflamed public opinion in Afghanistan against the U.S. and its coalition partners.

We cannot win any war where we lose the support of the local populace.

The use of airstrikes that may have killed some terrorist leaders but also killed or injured more innocent civilians—such as the attack from earlier this week—and fanned anti-American sentiment must be reexamined at the highest levels of our defense establishment.

But if we have learned anything from the situation in Iraq, it is that military force alone is not sufficient in and by itself to achieve our nation's foreign policy objectives in combating terrorism. I remain concerned that a strategy that relies on our military alone—who have served and continue to serve with valor, honor, and dedication and done all that their country has asked of them—to address the vast range of challenges facing the Afghanistan government and people is not a viable way forward in Afghanistan.

Yet, without security, the Taliban will continue to disrupt and destroy U.S. and international efforts to boost health care, governance, and economic growth in the country, as

evidenced by the continuing attacks against innocent girls who have now been empowered to go to school and get an education.

I am also concerned about the growing influence of the Taliban on Afghanistan's government and what that would mean for the respect for human rights, including the rights of women and the future of women and girls if we allow Afghanistan to become a failed state.

Development in Afghanistan cannot occur if we do not protect and empower the 50 percent of the population that are women. However, the prospects for women and girls in Afghanistan under the Taliban or a government heavily influenced by the Taliban are chilling.

We saw this growing influence I believe with the March 2009 approval by Afghan's parliament of a law that would, according to news reports, legalize marital rape, strip mothers of custodial rights in the event of a divorce, and prohibit a woman from leaving her home unless her husband gives his approval.

This law violates the basic human rights of women under several international treaties and convention and appears to contravene Afghanistan's own constitution.

This law has been rightly condemned by President Obama and others around the world and I urge President Karzai to officially reject it as well.

Its passage is a troubling omen of what the future holds for many of the committed women and girls who have courageously stepped out of the shadows since the fall of Taliban rule in Afghanistan in 2001.

I have advocated for a comprehensive strategy in Afghanistan and a comprehensive strategy will include the appropriate and judicious use of our military forces—otherwise it would not be comprehensive. It is clear that the Afghan security forces are overwhelmed and under-resourced to combat Al-Qaeda. In Afghanistan—a country that has both a larger population and a larger geography than Iraq—current U.S. forces are one-fifth the size of the forces in Iraq.

We must support efforts by the Afghanistan government to improve security for the millions of innocent Afghans whose future is threatened by the Taliban and Al-Qaeda.

An important piece of a comprehensive strategy is an exit plan. That is an unfortunate gap in the bill before us, but nothing prevents the House or Congress from addressing that issue in the days or weeks ahead.

I am an original cosponsor of legislation by Congressman JAMES MCGOVERN that asks the Secretary of Defense to provide Congress with a plan for an exit strategy for U.S. military operations in Afghanistan by the end of the year. I look forward to helping move it through the House as soon as possible.

Additionally, the increase in fighting forces in Afghanistan undertaken by this Administration must be matched by concomitant increases in diplomatic, development, and other nonmilitary aid.

The FY 2009 supplemental remains the most immediate avenue available at this point to secure the $7 billion in foreign aid requested by the President to support his boost for such efforts in Afghanistan, Pakistan, and elsewhere. In fact, this bill would add $3 billion to the President's request.

The $5.1 billion in the bill for Afghanistan is a significant step in the right direction. The $3.6 billion for training Afghan security forces and police; $980 million for economic development and expanding the rule of law and combating corruption; and $536 million for increased U.S. civilian and diplomatic staff are key parts of the Administration's new strategy for the region and will hopefully pave the way for the Afghan government to take the lead in securing its territory and meeting the needs of its people. On that point, today, 17 members of the Wisconsin National Guard—most of them based in Milwaukee—will return home after 10 months in Afghanistan training and advising the Afghan National Police.

I don't need to mention the critical need for the Pakistan assistance as troubling media reports surface by the hour that graphically illustrate the challenge facing that country and its government in its battle against Al-Qaeda and insurgent groups. The House bill would provide over $2 billion for Pakistan, almost $600 million more than requested by the President to boost State Department and civilian staffing, to strengthen governance and economic development efforts.

While I wish the mix between military aid and development and other aid in the bill were different, I also realize that this bill is taking an important step to better balance that mix while acknowledging a difficult reality for there are hundreds of thousands of troops still in war zones and at the same time, there is a lack of staffing at USAID and State that will need to be addressed to properly support a more forceful role for those agencies going forward.

The bill also addresses a number of other priorities including compensating all members of our military who were subject to the DoD's stop loss policy after September 11, boosting funding for MRAP's to protect our troops from IED's, and providing over $1 billion for medical care to servicemembers and their family members, including research and treatment of PTSD and TBI.

The supplemental would also provide millions in funding for new wounded warrior facilities to help soldiers wounded in combat to recover and to support their families through that process. It would speed up the construction of new military hospitals in Bethesda and at Fort Belvoir and provide over $1 billion for family support programs including improving access for families to child psychologists, child care, child development centers, financial counseling and other support.

Important funding is also included to facilitate the Middle East Peace process including economic aid and security assistance for Israel, Egypt, West Bank and Gaza, Jordan, and Lebanon.

The bill also makes investments in efforts to combat pandemic flu, to aid developing countries negatively affected by the global financial crisis, and to extend the compassion and aid of the American people though the provision of food aid, refugee assistance, and support of peacekeeping operations.

While I am disappointed by the fact that there are no deadlines or timelines in the bill before the end of Fiscal Year 2009 which is covered by the funding in this bill, Congress will certainly have the opportunity to examine whether or not these new policies are working and how to make effective changes both for the sake of our national security and for the people of Afghanistan and Pakistan.

This bill is not "perfect" and can be improved. I hope it will get better and stronger when it goes to conference including the addition of more funding for the State Department to conduct diplomacy, build schools, hospitals and roads, and promote economic growth. Any efforts to reduce funding for these goals and funding for some of the important programs I have outlined below the levels in this bill will be of concern to me.

Mr. CONYERS. Mr. Speaker, one of the great strengths of our nation is our collective ability to learn from our mistakes—to reject conventional thought and embrace innovation. During his short time in office, the President has been the physical embodiment of this strength. He has challenged the status quo where he has found it and laid bare the contradictions inherent in policies and modes of thought that have outlived their usefulness. From reforming our domestic auto industry, to turning away from outdated forms of energy production, to finally recognizing that a person's health and a person's ability to work are, in fact, intimately related, the President is leading our nation toward progress.

It is unfortunate then, that the President has not challenged our most pervasive and dangerous national hubris: the foolhardy belief that we can erect the foundations of civil society through the judicious use of our many high tech instruments of violence. That belief, promoted by the previous administration in the wake of the terrorist attacks of September 11, assumes that the United States possesses the capacity and also has a duty to determine the fate of nations in the greater Middle East.

I oppose this supplemental war funding bill because I believe that we are not bound by such a duty. In fact, I believe the policies of empire are counterproductive in our struggle against the forces of radical religious extremism. For example, U.S. strikes from unmanned Predator Drones and other aircraft produced 64 percent of all civilian deaths caused by the U.S., NATO, and Afghan forces in 2008. Just this week, U.S. air strikes took another 100 lives, according to Afghan officials on the ground. If it is our goal to strengthen the average Afghani or Pakistani citizen and to weaken the radicals that threaten stability in the region, bombing villages is clearly counterproductive. For every family broken apart by an incident of "collateral damage," seeds of hate and enmity are sown against our nation.

I must also oppose this resolution because of the decision to strip $80 million in funding for the closure of the detention center located at Guantanamo Bay during deliberations in the Appropriations Committee. Here as well, I implore my colleagues to consider the message we send to the world about our commitment to the rule of law. Closing this sordid chapter in our national history is a tremendously important part of our campaign to win the hearts and minds of the people of Afghanistan and Pakistan.

There are those who will say that the Taliban and the tribal warlords of the Pashtun will not yield to reason or diplomacy. This may be true. However, this vote is a referendum on our means, not on our goals in the region or our commitment to defeating those who would wish us harm. The President has assembled the best minds that our nation has to offer. He has all of the myriad tools of statecraft at his disposal. With these factors in mind, I refuse to believe that constraining these tribal warlords and extremists, whose influence is limited to a mountainous and economically derelict region halfway around the world, requires the mightiest nation in the world to indefinitely

commit our precious national resources in this particular manner.

Obviously, Afghanistan is not Iraq. It presents unique geographic, economic, and cultural challenges that will be orders of magnitude more difficult to solve. Let us remember that we are on the verge of extracting our troops and treasure from the quagmire of Iraq. Over the last six years, the strength of the forces of arrogance has waned as a direct result of our national experience with the horrors, costs, and futility inherent in a military occupation. Yet, here we are—on the precipice of hastily injecting our military men and women into a far more difficult and unwieldy situation.

Should we support this measure, we risk dooming our nation to a fate similar to Sisyphus and his boulder: to being trapped in a stalemate of unending frustration and misery, as our mistakes inevitably lead us to the same failed outcomes. Let us step back; let us remember the mistakes and heartbreak of our recent misadventures in the streets of Fallujah and Baghdad. If we honor the ties that bind us to one another, we cannot in good faith send our fellow citizens on this errand of folly. It is still not too late to turn away from this path.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of this important legislation, which makes emergency supplemental appropriations for Fiscal Year 2009. H.R. 2346 provides our troops what they need for their missions in Iraq and Afghanistan, provides appropriate Congressional oversight for our military and national security efforts, and ensures the continued safety and security of our citizens.

This bill contains $96.7 billion to support our efforts to fight in Iraq, Afghanistan, and Pakistan and to protect against pandemic flu. As the representative of Fort Bragg and Pope Air Force Base, I'm pleased that this bill provides $3.2 billion for quality of life initiatives—including funding for military child care centers, military hospitals and wounded warrior facilities. It includes an additional $500 per month for each soldier who has served involuntarily after their enlistment ended, recognizing the sacrifices that they have made in necessary service to our country.

The legislation supports the President's plan to end the war in Iraq and bring our soldiers home, and supports his efforts to refocus our efforts to root out terrorism in Afghanistan and Pakistan. It also contains an important provision to prevent the release of prisoners from Guantanamo Bay, Cuba, into the United States and requires the President to submit a comprehensive plan regarding the proposed closing of the Guantanamo Bay facility to Congress before any action is taken.

As the representative of a rural district that has seen farmers lose contracts and put on the brink of foreclosure, I am pleased that this bill contains emergency funding to address the shortfall in farm loan programs. North Carolina and 46 other states have loan backlogs that today cannot be funded, and the $71.3 million in this bill will help keep our farmers in business and our nation's food supply secure.

Mr. Speaker, as we start to address the legacy of the failed policies of the past eight years and the deficit that we inherited, we must still invest in our priorities and ensure the safety and security of all Americans. This bill is the last time that we will address critical war funding needs outside of the regular budget process, and is a necessary step to providing a new direction for our military, our economy, and our nation. I will continue to work with my colleagues in Congress as well as the President and the Administration, to provide a new direction in Iraq and to meet the critical needs of the people of North Carolina's Second Congressional District.

Mr. BLUMENAUER. Mr. Speaker, a little over 100 days ago, President Obama took the mantle of Commander in Chief and assumed responsibility for the tragic war in Iraq and the under-resourced conflict in Afghanistan. True to his promise, and my pledge to Oregonians, this Supplemental Appropriations bill starts the process of bringing the war in Iraq to a close. We are on track to end the combat mission in Iraq by mid–2010 and remove all U.S. military forces by the end of 2011.

I have routinely opposed Supplemental Appropriations bills for the wars in the past as open-ended funding for a tragic conflict. For too long this type of emergency funding has been used to support misguided policies: avoiding responsible budgeting and thoughtful adjustments in the direction of our foreign and military policies. That's why I'm pleased that the Obama administration has also committed to transparency in war funding, both in this final Supplemental for Iraq and Afghanistan, and for including future costs in the baseline budget.

There is much that is good and important in this bill, including substantial investments in humanitarian assistance overseas and in preparing for the next pandemic, which we fear swine flu may become in the future.

Nevertheless, it was difficult to cast a vote in support of this Supplemental. I am troubled by some of the funding, including an increase in defense acquisitions and military assistance for some countries that haven't earned it, like Egypt. My greatest unease is perhaps the direction that has been taken in Afghanistan. I am not comfortable with the escalation there; my discomfort was heightened when I said goodbye on May 2 to the largest contingent of Oregon National Guard members sent overseas since World War II.

I will give the new administration the benefit of the doubt because there is much in this bill to support and because they have inherited dire circumstances not of their making. But from this point forward, these conflicts are in the hands of the Obama administration and I will hold them to the same standard of accountability.

Mr. STARK. Mr. Speaker, I oppose the supplemental appropriations bill for the wars in Iraq and Afghanistan.

In Iraq, the American people were misled into a war that has cost our country almost $670 billion, with over 4,300 American lives lost and estimates showing hundreds of thousands of Iraqis killed. While President Obama's plan to scale down the troop levels in Iraq is a move in the right direction, I simply cannot justify any more spending for an illegitimate war.

In Afghanistan, over 600 Americans have been killed and more than 4,000 have been wounded. After years of mismanagement by the Bush Administration, we lack a clear objective and have no exit strategy.

At a time when our country is facing serious economic peril at home, it is unconscionable that we would be sending almost $100 billion to further fund war efforts that have no clear goals and continue to undermine America's standing abroad.

President Obama is moving America's foreign policy in a better direction, and he has shown superior judgment to President Bush on when we should send our troops into harm's way. However, I cannot support any more funding for these wars.

Mr. LANGEVIN. Mr. Speaker, I rise today in support of H.R. 2346, the Supplemental Appropriations Act of 2009. The funding in this bill will provide our men and women in uniform the tools they need to protect our nation, while recognizing the sacrifices they and their families have made for this country.

Unlike past war funding supplementals, this year's measure will focus on supporting a clear plan for ending the war in Iraq and bringing our men and women home safely and responsibly. This will be balanced with adequate resources to support a "whole of government" approach to combat Al Qaeda and the Taliban in Afghanistan and to support our allies in Pakistan as they fight a violent insurgency that threatens to envelop their country.

This supplemental also supports Congress's critical oversight responsibilities by requiring the President to report on the performance of the governments of Afghanistan and Pakistan in five key areas by February of 2010. This will allow the Congress to evaluate the effectiveness of our new strategy in Afghanistan and ensure that we are providing everything troops need to get the job done.

On the home front, the supplemental ensures that our nation is ready to respond to a full flu pandemic by providing funding for antiviral drug and vaccine stockpiles as well as assisting state and local responders with the tools to fight such an outbreak.

This bill ensures the safety of our nation by balancing our war efforts overseas with disaster response at home, and I urge passage of H.R. 2346.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 2346, the Supplemental Appropriations Act of 2009. I am supporting this legislation because it contains necessary funding for our troops at war in Iraq and Afghanistan and ensures they have the proper equipment and resources they need. However, I am pleased this is the last time we will use emergency supplementals to fund the wars in Iraq and Afghanistan, which grows our federal budget deficit and places the burden of paying for the wars on our children. From now on, we must keep our word and use supplemental appropriations only for true emergencies, like natural disasters, pandemic flu outbreaks, and terrorist attacks.

In addition to providing funds for continued drawdown of troops from Iraq, refocusing military efforts in Afghanistan, and new strategic initiatives in Pakistan, this legislation contains much-needed funding to respond to urgent humanitarian crises involving refugees and internally displaced persons (IDPs). While I thank the Committee for including this assistance, I believe much more is necessary to respond to the dire situation Iraqi refugees and IDPs find themselves in since the beginning of the Iraq War. The United States has both a moral obligation to assist this displaced population—the largest since the Palestinian Diaspora of 1948—and also a strategic interest in stabilizing the region so young Iraqi men and women turn toward the future of their country rather than to violence and extremism because they have no place else to go.

H.R. 2346 also contains relief for our troops who have been forced to remain on duty

through multiple tours of often intense combat missions. This bill contains $734 million to retroactively provide service members and veterans $500 for every month they served under stop-loss orders since 2001.

This bill has many other important provisions that I am pleased to support, like funding for pandemic flu response, fighting growing violence along the U.S.-Mexico border, and international food assistance during the global economic crisis. Mr. Speaker, I urge my colleagues to join me in voting ''yes'' for H.R. 2346.

Ms. KILPATRICK of Michigan. Mr. Speaker, I rise in strong support for the work of our Chairman, JOHN MURTHA, our Ranking Minority Member, BILL YOUNG, and the Democratic and Republican staff of the House Appropriations Committee on Defense. Unlike years past, this legislation demands that our President provide us with a plan as we move forward in Afghanistan; demands that our President provide us with a plan as we close down Guantanamo Bay; provides more funding for ''stop loss'' and helps to protect our country against flu pandemics. This bill provides direction for the President and American citizens; is disciplined in its approach regarding Afghanistan, Pakistan and Guantanamo Bay; and is diligent in ensuring the wise use of tax dollars.

First and foremost, I must thank Chairman MURTHA and Ranking Minority Member YOUNG, along with 118 of my colleagues, who helped to fight to preserve funding for the Stryker Medical Evacuation Unit. On April 1, 2009, I sent this letter signed by my colleagues to Chairman MURTHA to fight for funding for the Stryker MEV. Secretary of Defense Bob Gates recommended that this program be zero funded for the Supplemental, which would have had a devastating effect on the State of Michigan and others as well. I am a proud Progressive, and did not support the War in Iraq. Regardless of whether you support the war or not, we all agree that those servicemembers who voluntarily put themselves in harm's way should have the best equipment available. This Supplemental will provide close to $340 million for the Stryker. Without funding in the FY09 Supplemental, General Dynamics would be forced to cut more than 1,000 employees in Michigan, Ohio, Alabama, Florida, and Pennsylvania. I am proud to have fought for the funding for this program that will allow the building of over 250 Strykers.

An estimated 795 supplier companies would be impacted in 40 States. The direct economic impact to Michigan would be a loss of $241 million along with more than 19,000 jobs.

The Stryker MEV or battlefield ambulance, which is what I, along with my colleagues, have been working to fund, offers our troops the best medical treatment. Its mobility, speed and protection levels have saved the lives of wounded soldiers. The Stryker MEV ambulance, which would be used to replace Vietnam-era M113s, offers greater interior space, carries more wounded soldiers, medics and medical supplies. It also features the latest in life support and medical monitoring systems and has air conditioning. Our servicemembers deserve this much for their battlefield ambulance.

The Strykers have been deemed the soldier's ''first choice.'' Strykers are eight-wheel, armored combat vehicles that can be transported in a C–130 plane. There are 10 configurations of the Stryker including the Infantry Carrier Vehicle, ICV, and the Mobile Gun System, MGS.

The contract for Strykers was awarded in 2000 to General Dynamics Land Systems and a former subsidiary of General Motors, GM Defense. They were designed in Sterling Heights, Michigan and are manufactured in Lima, Ohio and Anniston, Alabama, by General Dynamics Land Systems, with many of the key components of the Stryker designed and built by the United Auto Workers labor union.

The first Stryker vehicles were deployed in 2002. Since then, more than 2,700 vehicles have been delivered and more than 18,000 soldiers have been trained. The fleet has accumulated 22 million miles.

Key characteristics of the Stryker are survivability and mobility. The vehicle allows soldiers to maneuver in close quarters, offers protection in open areas and can quickly transport troops to key battlefields. The Army selected the Stryker because it provides the best protection, performance and value for the Army's Bridge Combat Teams. The Stryker, named after two individuals who earned the Medal of Honor, is one of the preferred vehicles of the U.S. Marine Corps. Perhaps Col. Robert Brown, commander of the 1st Brigade, 25th Infantry Division, Multinational Force—Northwest which is equipped with Strykers, could make the best argument for the Stryker:

> The Stryker brigade has fought from Fallujah, Baghdad, Euphrates River Valley and then up in the Tigris River Valley and all the way up to Mosul in northern Iraq and out to the border out in Syria over the last year.
>
> The Stryker's fantastic. It has incredible mobility, incredible speed. It has saved hundreds of my soldiers' lives. I'm telling you hundreds of their lives. We've been hit by 84 suicide VBIEDs, and I've had the greater majority of soldiers walk away without even a scratch. It's absolutely amazing. If I were in any other type vehicle, I would've had huge problems.
>
> The other thing is it carries, you know, the infantry men in the back that no other vehicle can do; nine infantry men that come out of that Stryker and are incredible in urban operations. You could ask any one of my soldiers, and they would choose the Stryker of any vehicle they could possibly ride in.

This bill mandates that President Obama submit every 90 days a report to Congress that includes how the government of Iraq is assuming responsibility for reconciliation initiatives; how the draw down of military forces complies with the President's guidelines to withdraw all U.S. combat brigades from Iraq by August 31, 2010, and requires accountability from the contractors who are doing business in Iraq. The legislation also states that there will be no permanent bases in Iraq.

Appreciating that the President has issued the closure of Guantanamo Bay's detention facilities, we ask the President to submit to Congress a comprehensive plan for what the Administration plans to do with detainees still held at Guantanamo Bay; and a detailed analysis of the total estimated cost of closing this detention facility and any related costs.

The bill also gives the President a year to come up with a comprehensive, cohesive plan for Afghanistan and Pakistan. By February 2010, the bill gives the President time to assess whether the Governments of Afghanistan and Pakistan are, or are not, demonstrating the necessary commitment, capability, conduct and unity of purpose to warrant the continued policy of the President. Our people deserve to know what our goals, objectives, and timetables are if we are going to commit the lives of their husbands and wives, sons and daughters, children and grandchildren and the scarce resources of the American taxpayer.

I am proud that this bill includes an increase in the funding for the mental health of our servicemembers, to treat Post Traumatic Stress Disorder, PTSD, and Traumatic Brain Injuries, TBI. Families of our servicemembers who have children with disabilities will get an increase in the help that they receive through this legislation, as well as compensating our troops who have served under ''stop loss'' conditions. Recognizing the hardship placed on troops and their families by being forced to remain on active duty longer than they planned, Congress ordered a special $500 per month payment for any servicemember who had to serve under stop loss. For the U.S. Army, the average compensation would be $4,000; for the U.S. Navy, $7,500; for the U.S. Marine Corps, $4,500; and for the U.S. Air Force, $5,500.

We owe our servicemembers a great debt. I am proud of our work on this bill to ensure accountability and responsibility from our Administration; to protect American citizens from pandemics and disease; to partially compensate our servicemembers and their families for their sacrifice; and boost the economy of the State of Michigan. I look forward to quick consideration in the Senate of this legislation and that it is signed into law soon.

Mr. ELLISON. Mr. Speaker, let me first say at the outset that I support President Obama and his Administration in their overall foreign policy objectives and implementation. However, I cannot vote for this War Supplemental request because I believe that it does not represent the departure from the past that we all hope for and which is urgently needed to move our country forward in a new course.

While I understand that there's a momentum building toward winding down our involvement in these conflicts and the move away from the war-making culture, I believe that there must be a sharp departure from past policy in order for us to achieve that goal.

This War Supplemental budget will significantly expand our military presence in Afghanistan, while at the same time it does not go far enough in eliminating our longstanding presence in Iraq, either.

I am very concerned by the fact that almost 90 percent of the funds are going for military operations and equipment replacement. While it contains some beneficial items like economic development and agriculture programs in Afghanistan, efforts to strengthen rule of law in Iraq, humanitarian assistance for Gaza—which I strongly support—wildfire suppression, and efforts to fight against the spread of a new flu pandemic, all these items combined amount to less than 13 percent of the total budget.

I also believe that funding for the war and military occupation and funding for diplomatic, humanitarian and other benevolent efforts must be separated. It is disingenuous and deceptive to combine these two and force the lawmakers to make the choice they shouldn't have to make; that is, supporting funding for the wars in order to get humanitarian assistance for Gaza.

President Obama has made strong, inspirational statements that signal positive change of policy toward the Muslim world, but this budget will send a contradicting message to those statements. Approving this budget will send the message to the Muslim world and the international community at large that we are not serious in getting to the root-cause of the problem, which is our extensive engagement in war-making. At the end of the day, the best way to achieve our objectives is to send consistent messages that demonstrate our unwavering determination to scale down our military footprints.

Supporting this bill will surely perpetuate military operations that are likely to fail or become a pyrrhic victory.

President Obama will give a major speech in Egypt on how he would reduce those military footprints and increase civilian-led involvement. But the figures in this War Supplemental budget, over $75 billion for military operations versus merely $7 billion for state and foreign operations, will perpetuate the picture of how much we still prioritize war-making over diplomacy and development.

With these reasons, and despite my continued support for the President and the Administration, I cannot support this War Supplemental budget request.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of this bill, but not without reservations and some concern.

I fully support the funding that is in the bill for the military—the bill addresses their immediate needs by providing protective equipment in supplies, and supports the sacrifices they and their families are making by retroactively providing servicemembers and veterans $500 for every month they served under stop-loss orders since 2001. It also plans for the end of combat operations in Iraq and refocuses our efforts in Afghanistan.

Following a news report by KHOU in Houston on Monday about troops in Iraq not having sufficient supplies, specifically individuals were having to ration water, find their own, or drink bulk water not intended to be potable, we need to ensure DoD has funding to supply our troops, and this bill provides for that.

My main concern however is that this supplemental did not include funding, or any assistance for areas affected by Hurricane Ike. We still have great unmet needs, and while there is funding to address other natural disasters such as wildfires, the Gulf Coast is still struggling to recover.

Ike was one of the most devastating hurricanes since Katrina, yet the small amount of funding that has been appropriated for the disaster has not been passed through by the Federal agencies to meet local needs. Of the nearly $6 billion in CDBG funding that was included in the combined Defense, Homeland Security, and VA Appropriations bill, nearly two thirds of that is still being held by HUD.

What has been delivered was divided among all areas hit by a natural disaster last year, meaning the Gulf Coast has received a tiny fraction of what is needed and what has been delivered to previous areas devastated by category 3 and category 4 hurricanes.

The 2009 hurricane season is nearly upon us, and we have yet to address the needs of what is left from the 2008 season. Additional funding would be ideal, but at a minimum, local areas like Galveston City and County need the local-match for disaster recovery assistance waived, and I intend to continue working with the Appropriations Committee and House Leadership to provide that assistance at a minimum.

Mr. Speaker, I fully support what is in this bill for our troops and urge my colleagues to join me in supporting it. However, I hope to work with you moving forward to provide assistance to an area still devastated and recovering from Hurricane Ike.

Mr. LEVIN. Mr. Speaker, I support the supplemental funding bill that is before the House today, and urge my colleagues to join me in voting for it.

A lot has changed since the last time Congress debated funding for the ongoing military operations in Iraq and Afghanistan eleven months ago. Earlier this year, President Obama stated that we will begin to draw down our forces in Iraq and complete the removal of combat troops by August 2010. Further, the President has also announced a new strategy for Afghanistan and Pakistan. The plan acknowledges our national interest in combating terrorism and the Taliban in Pakistan and Afghanistan and the need for stability in the region, especially with regard to safeguarding Pakistan's nuclear arsenal. At the same time, the President's plan correctly recognizes that we need a comprehensive strategy that does not rely on U.S. military force alone.

The President's plan therefore calls for increased resources to build schools, roads and hospitals, and strengthen democratic institutions and the rule of law in both Pakistan and Afghanistan. The strategy also calls for greater dialogue, intelligence sharing, and border cooperation between the U.S., Afghanistan and Pakistan. The challenges before us are formidable, but I think we need to give President Obama's strategy a chance to work. This bill begins the effort by providing funding for the training of Afghan and Pakistani security forces as well as funds for economic development, strengthening governance, expanding the rule of law, and boosting our diplomatic efforts in the region.

One thing that hasn't changed is the imperative to provide our troops in the field with the equipment and support they need to protect themselves and accomplish their mission.

I urge my colleagues to join me in support of this important bill.

Mr. DICKS. Mr. Speaker, I rise in support of H.R. 2346 the Supplemental Appropriations Bill for fiscal year 2009, which addresses the President's request for additional funding for the wars in Iraq and Afghanistan, overseas diplomatic efforts and wildland fire suppression and emergency rehabilitation of burned areas. I also want to express my support for funds that were approved in this bill to respond to the recent swine flu outbreak, which still presents a very real threat of a worldwide pandemic.

We are all encouraged by the robust actions of our various public health agencies in the United States, including the Centers for Disease Control, in response to this threat. It is clear that the health and security of the American public remain a top priority, and we support the substantial and serious efforts that are being made to protect our population against the H1N1 swine flu virus and to prepare for the possible consequences. Because we do not know at this point the path that this particular strain will take within our population and around the world, it is entirely prudent to implement widespread precautionary steps in case the outbreak is more virulent than it now appears, or in case it re-appears in the fall. Knowing that the 1918 Spanish Influenza outbreak killed an estimated 100 million people around the world, and that modern transportation has greatly increased the speed at which such a pandemic could be spread, we have a serious obligation to prepare for any potential outcome.

At the same time, I believe that Congress, in its oversight role, must assure that the nation is adequately prepared to detect—with some advance capability—this and other types of pandemic disease threats to our population. The earlier we can determine the content and the severity of a biological threat, for example, the more lives can potentially be saved. In this case we have some concern about the nation's ability to analyze and interpret warning signals that suggest the emergence of a biological threat.

What we know is this: By April 22, the Centers for Disease Control, CDC, had identified two cases of a previously unknown strain of Swine flu present in Texas, and that the virus was identical to two previously analyzed cases that occurred earlier in the month in San Diego. By that evening, CDC was able to complete the analysis of samples of the virus that had been raging through parts of Mexico, finally allowing it to ''connect the dots'' and begin the notification of all 50 State public health laboratories.

But it is now also known that CDC received other information earlier that at least suggested the possibility of pandemic threat. CDC received information from a Washington State firm that tracks global disease outbreaks as early as April 6th that suggested the possibility of a pandemic. The company, Veratect, has developed a software platform called Foreshadow that conducts 24-hour, 7-days-a-week tracking and actionable alert generation to detect emerging threats worldwide. Through its analyses, Veratect reported on April 6th that health officials in Veracruz, Mexico, had declared a health alert due to a ''strange'' outbreak of respiratory disease outbreak, possibly caused by contamination from pig-breeding farms located in the area. Ten days later, the company reported that the Oaxaca Health Department had detected an unusual number of atypical pneumonia cases. On April 20, a Veratect official contacted a CDC physician at the agency's emergency operations center to apprise him of the situation in Mexico and to urge CDC to take a look at the growing problem there.

Obviously hindsight is 20/20. As with any intelligence product, it is always difficult to know at the time what is merely ''noise'' and what is truly significant information that requires action. But because of my personal knowledge of the circumstances related to these early warning signals that were sent to CDC and other governmental bodies, I think it is prudent for Congress at this point to assure that we have the appropriate mechanisms in place to guarantee that bona fide information relating to these types of very real threats to public health and safety can be received and interpreted in a timely manner, and that it triggers the necessary and appropriate preventative actions.

In this regard, I am encouraged that the bill includes report language that will require CDC to review its disease detection policies and the

speed with which case samples are analyzed to determine if improvements should or can be made. Part of this review should include a survey of the early detection capability that exists, and whether CDC and other agencies of the federal government have sufficient resources to properly analyze this type of advance warning information.

I thank Chairman OBEY, in particular, for his interest in the issue, and for including this important language in the Committee's report.

Mr. REYES. Mr. Speaker, I wanted to clarify some comments in the Joint Explanatory Statement for the FY09 Consolidated Appropriations Act. That statement said, ''Further, that the Intelligence Community has studied other pay-for-performance efforts, both within the Community and the rest of government is encouraging. The executive branch started implementing this effort of September 14, 2008, and therefore the Intelligence Community is directed to ensure that full implementation of the system follows the principles of merit, transparency and fairness in a manner which is deliberate and methodical.''

I want to clarify that this statement was not intended as an endorsement of the current pay for performance system in the Intelligence Community, known as the Defense Civilian Intelligence Personnel System (DCIPS), but as a statement of principles of what such a system should be.

We all believe that the civil service personnel system should be based on merit principles and be transparent, and fair. It is our commitment to these principles that have led some of us to ask that these systems be reviewed. We have been concerned that the implementation of DCIPS lacks transparency, may adversely affect minorities, and may undermine collaboration. In particular, Chairman SKELTON and I requested that the Administration pause implementation of DCIPS. In response, the Intelligence Community announced to the field that they would be pausing implementation of DCIPS. I welcome this action so the Administration can take the time to review both the substance and implementation plan for DCIPS. I note that the Administration has frozen the implementation of the National Security Personnel System (NSPS), and is reviewing that system as well, and I would welcome similar action in the Intelligence Community.

Mr. OBEY. With that, Mr. Speaker, I yield back the balance of my time and ask for an ''aye'' vote.

The SPEAKER pro tempore. Pursuant to House Resolution 434, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. ROGERS of Kentucky. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ROGERS of Kentucky. Presently, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Rogers of Kentucky moves to recommit the bill H.R. 2346 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 10, beginning on line 20, strike the last two provisos of the paragraph.

Page 23, beginning on line 3, strike section 10012 (relating to rescissions of Department of Defense funds).

Page 33, after line 5, insert the following:

GENERAL ADMINISTRATION

DETENTION TRUSTEE

For an additional amount for ''Detention Trustee'', $50,000,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For an additional amount for ''Interagency Crime and Drug Enforcement'', $150,000,000.

Page 49, line 19, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 50, line 25, after the dollar amount, insert ''(reduced by $200,000,000)''.

Page 56, strike line land all that follows through page 57, line 25.

Mr. ROGERS of Kentucky (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

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

Mr. ROGERS of Kentucky. Mr. Speaker, I am submitting this motion to correct what I believe are three gross errors in the bill.

Whether it's funds to support the needs of our troops, proper support for Pakistan engaged in a vital counterinsurgency effort, or funds to fight the treacherous drug war raging along our border with Mexico, this bill falls short.

How in all good conscience can we increase foreign aid by nearly $3 billion and yet shave support for our troops overseas and our law enforcement agencies here at home? How can we take away support for Pakistan's counterinsurgency efforts and give the money to the State Department?

Mr. Speaker, emergency supplemental bills are about fine-tuning our priorities. This motion gives the Members of this body the opportunity to do just that.

On supporting the needs of our troops, the current bill cuts the 2009 regular defense budget. It unnecessarily cuts defense and prohibits DOD from using those resources on critical requirements that are sadly unfunded. So this motion would simply restore the $3 billion of 2009 moneys, current year, that are cut in this bill.

On the Pakistan Counterinsurgency Capability Funding program, or PCCF, counterinsurgency, this bill puts it in the Defense Department, but the first day of the new fiscal year, it would then be moved to the State Department for fiscal 2010. Well, State does great diplomatic work, but counterinsurgency is not the State Department's forte, and that's what we're facing. Let's be clear. PCCF is not a diplomatic tool; it's a military tool designed for aiding what is arguably one of the most important military counterinsurgency efforts in history. I need not emphasize to the Members of this body the profound importance of keeping Pakistan's nuclear weapons out of the hands of the Taliban and al Qaeda. The Secretary of Defense has been clear that he does not feel the State Department currently has the capacity or ability to administer this counterinsurgency program. Our troops need the flexibility and agility that this fund provides, especially in dealing with the nontraditional Pakistani military forces in remote sections of that country.

Finally, on the Mexican drug war, this bill fails to include one red cent for the vital work of our law enforcement agencies fighting the cartels along our border with Mexico and their tentacles reaching into every city in America. A press release I have in my hand that just came out says that the largest seizure of methamphetamines in the eastern United States has just taken place in Atlanta, Georgia. And we could name Birmingham or Chicago or New York or any other city in America where the drug cartels in Mexico, who control 90 percent of the cocaine entering this country, are waging their battles.

□ 1530

And it's spilling over now into America. This is a war with severe consequences. More than 90 percent of the cocaine comes to us through Mexico, disbursed through a distribution network that touches virtually every major city in our country, not to mention methamphetamines and the other dangerous drugs.

Now, the $350 million in this bill that says it's for counternarcotics operations along the southwest border. Smoke and mirrors. These funds will go to unaccompanied alien children and serve as a contingency fund should we need the National Guard there. Both are important efforts, but, sadly, nothing to support the needs of our law enforcement agencies engaged in this bloody war, and that's what the problem is now. It's an anti-organized crime cartel fight on that border, and you need law enforcement there. Not a penny in this bill for it.

This motion that I have would shift 7 percent of the foreign aid in this bill and invest that in the security and rule of law here at home, just 7 percent of the increase in foreign aid that's in this bill. This motion takes $200 million out of the $3 billion plus-up in the bill for foreign aid and puts it to potent counterdrug programs in the Department of Justice, programs that can help break the back of these heinous cartels on our southern border and in our cities and towns.

Mr. Speaker, I urge my colleagues to support this motion that will keep up our military assistance to Pakistan's counterterrorism fight, prevents a cut

on the current year's troop support, and shifts a small part of the bill's increase in foreign aid to keeping the Mexican drug cartels out of American cities.

Mr. OBEY. Mr. Speaker, I rise to oppose the motion.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, we have heard many a lecture from the other side of the aisle about spending levels, but this proposal would add $3 billion to the spending levels in this bill, and it would eliminate a rescission that saves us money, a rescission that's been endorsed by Secretary Gates.

It also takes $200 million out of the global financial crisis fund, which is the last thing we ought to do at a time when we have a worldwide financial crisis that is threatening our own economy as well as others around the world.

Thirdly, it eliminates the Pakistani counterinsurgency fund for next year, which has already been endorsed by Secretary Gates.

And lastly, with respect to Mexico, it purports to add $200 million to deal with drug problems in Mexico. The bill already contains $400 million directly for aid to Mexico, plus another $350 million in the Department of Defense.

And I would point out that in the stimulus bill, which virtually every Member on that side of the aisle voted against just a few short weeks ago, we provided an over $700 million increase to deal with our border problems. All in all, between the omnibus and the stimulus, we already raised funding for that by 10 percent.

So I would suggest this is a financial double game and that we turn down the motion.

I yield to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. I have to say I am disappointed in the gentleman. Now, he has only been on the subcommittee that I chair for a very short period of time.

We made a deal and the White House endorsed our deal. They didn't like what we did, but they endorsed our deal. They said this is their supplemental. We added to it, and we fought every inch of the way to get the money for the troops out in the field and for the families at home.

And what you are doing is fighting this thing all over again, the same way you tried to do it in the full committee, and I don't appreciate that. I don't appreciate the fact we make a deal and then we turn around here and we try to change that deal.

This should be defeated, and it should be defeated soundly by the House of Representatives and in committee.

I know what you are trying to do. In the conference, we will try to work something out, but this is the bill that should go to conference.

Mr. OBEY. I urge a ''no'' vote.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, and the motion to suspend the rules on H.R. 347.

The vote was taken by electronic device, and there were—yeas 191, nays 237, not voting 5, as follows:

[Roll No. 264]

YEAS—191

Aderholt
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
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.
Dreier
Ehlers
Emerson
Fallin
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—237

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Campbell
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
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Foster
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
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—5

Delahunt
Johnson (GA)
Sánchez, Linda T.
Stark
Tanner

□ 1601

Messrs. BOSWELL, TONKO, HIMES, TIERNEY, THOMPSON of Mississippi, SCHRADER, CLEAVER, SMITH of Washington, RUSH, and Mrs. CAPPS changed their vote from ''yea'' to ''nay.''

Messrs. CARTER, FRANKS of Arizona, MARSHALL, CHILDERS, and McINTYRE changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill. Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 368, nays 60, not voting 5, as follows:

[Roll No. 265]

YEAS—368

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (TX)
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Fattah
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Guthrie
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
Hoyer
Hunter
Inglis
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McHenry
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Neugebauer
Nunes
Nye
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sessions
Sestak
Shadegg
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tauscher
Taylor
Teague
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watt
Waxman
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—60

Baldwin
Campbell
Capuano
Clarke
Cohen
Conyers
Cooper
Costello
Doggett
Duncan
Edwards (MD)
Ehlers
Ellison
Farr
Filner
Flake
Frank (MA)
Grayson
Grijalva
Gutierrez
Honda
Inslee
Johnson (IL)
Kagen
Kaptur
Kucinich
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Markey (MA)
Massa
Matsui
McDermott
McGovern
Michaud
Miller, George
Napolitano
Neal (MA)
Oberstar
Paul
Payne
Petri
Pingree (ME)
Polis (CO)
Royce
Schakowsky
Sensenbrenner
Serrano
Shea-Porter
Speier
Thompson (CA)
Tierney
Towns
Tsongas
Velázquez
Waters
Watson
Weiner
Welch
Woolsey

NOT VOTING—5

Delahunt
McMorris Rodgers
Sánchez, Linda T.
Stark
Tanner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1610

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 2346, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

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

There was no objection.

HONORING FALLEN LAW ENFORCEMENT OFFICERS

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

Mr. REICHERT. Mr. Speaker, if I could just take a moment to have everyone's attention, please. If you look in the gallery, you will notice there are men and women in uniform watching what we do today, and all through the week they have been here watching and listening. But that is not really their purpose in being here this week. This is National Law Enforcement Memorial Week, and I think we should pause for a moment and recognize how fortunate we are to live in a country that has peace and civility and order.

The laws that are enforced here are enforced by the men and women behind me and all across this Nation, and many have fallen this year; one hundred and thirty-three officers have died this past year in the United States protecting us all, as we are all protected here in this House. I would like us all to rise for a moment of silence for those officers who have fallen in the line of duty.

But before we do that, I would like to yield to my colleague, the other sheriff in Congress, Mr. ELLSWORTH.

Mr. ELLSWORTH. I would like to thank Sheriff REICHERT for yielding me this time.

As we know, we have seen a lot of uniformed police officers. In this House, we talk a lot about the men and women in uniform who protect our great country, and normally we are talking about the Armed Forces, and that is rightfully so. But this week, let's take a moment to think about the men and women in every Member of this Congress' districts who are protecting us and our families 24/7 every day of the year.

If we could honor them with a moment of silence for those who have fallen in the line of duty, I would appreciate that, and I know their families would, too.

The SPEAKER pro tempore. Members will 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.

GOLD MEDAL FOR JAPANESE AMERICAN ARMY UNITS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 347, 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 North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, H.R. 347.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 266]

YEAS—411

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
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
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 (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
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—22

Abercrombie
Boswell
Boyd
Campbell
Costello
Davis (KY)
Delahunt
Flake
Franks (AZ)
Harman
Kosmas
Linder
Marshall
McNerney
Moore (WI)
Obey
Pascrell
Sánchez, Linda T.
Speier
Stark
Tanner
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. There are 2 minutes remaining in this vote.

□ 1620

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.

MEDAL OF HONOR COMMEMORATIVE COIN ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1209.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, H.R. 1209.

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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 848

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor from H.R. 848.

The SPEAKER pro tempore (Mrs. KIRKPATRICK of Arizona). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

LEGISLATIVE BUSINESS

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

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding.

On Monday, Madam Speaker, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30 p.m.

On Tuesday, the House will meet at 10:30 a.m. for morning-hour debate and 12 p.m. for legislative business.

On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business.

On Friday, as is our custom, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. A complete list of suspension bills will be announced by the end of business tomorrow.

In addition, we will consider H.R. 2200, the Transportation Security Administration Authorization Act, H.R. 2352, the Job Creation Through Entrepreneurship Act of 2009 out of the Small Business Committee, and House amendments to S. 896, the Helping Families Save Their Homes Act of 2009.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, I would ask the gentleman if he could tell us which days he expects the House to consider the

bills that he has just announced, and I would yield to the gentleman.

Mr. HOYER. I thank the gentleman for that question.

We are not sure exactly which days which bill will be considered, but I think they will probably be considered in the order that they are listed. But whether they will be Wednesday and Thursday or Wednesday, Thursday, and Friday, I'm not exactly sure. The suspension bills will probably be considered most of Tuesday. I might also say, as the gentleman knows, there are a number of bills pending that may come from conference, and we will address those bills when and if they do come back.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, I would say to the gentleman, as he knows, the House will break for Memorial Day recess at the end of next week, and since we will not have another colloquy before that recess, I wonder if the majority leader could outline what he expects the House to consider during the 4 weeks that we are in session in June.

Madam Speaker, I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

First let me say to all Members that I advise them to advise their schedulers not to schedule Fridays in June or July. We're off, obviously, for a week in July for the July 4 work period, but other than that, I would urge all Members to make sure their schedulers understand that we may well be here late into afternoons on each and every one of the Fridays. Now, why? First of all, we're going to consider the Defense Authorization bill and the State Department Authorization bills. But in addition to that, we will be considering the appropriation bills.

It is my hope and objective—and Mr. Whip, you and I have briefly talked and we are going to talk again about the scheduling of these bills—to pass all of the appropriations bills, as Senator INOUYE has indicated he would like to do as well, pass all the appropriations bills, individually, through the Senate and through the House so that we might conference those bills and have them on the floor in the regular order. Those, obviously, 12 bills will take up much of those 2 months.

In addition to that, of course, the committees are considering major pieces of legislation dealing with energy independence and global warming, as well as health care. Now, we do not know whether or not they might be ready for the floor or when they might be ready for the floor, but Members ought to know that those are bills that are clearly on our radar screen to be put on the agenda when they are ready.

Mr. CANTOR. Madam Speaker, I thank the gentleman. And as he has indicated, the cap-and-trade bill and health care reform are items that he indicated may or may not be considered in June, but perhaps during the 2-month period of June and July. But, Madam Speaker, the gentleman did not mention the Panama Trade Agreement or Card Check, and I was wondering if the gentleman, the majority leader, could tell us his expectations as to whether the House will be considering those measures over the next 4 weeks after the Memorial Day recess.

I yield.

Mr. HOYER. I think that, with respect to both those bills, obviously the Senate is discussing the Employee Free Choice Act and whether or not they are going to be moving ahead on that. We hope they will. We believe this is a very important and good piece of legislation, but we also know that there are discussions in the Senate with respect to the various provisions of that bill.

□ 1630

This House, as the gentleman knows, passed that bill pretty handily through the House last year, in the last Congress. So we are hopeful that the Senate will take action and the bill will be in a form that will be effected.

With respect to the Panama Canal Treaty, that has not been submitted by the administration yet, and we will have to wait to see when they will submit that bill. I do know, as you know, that Mr. KIRK has indicated that the administration has discussed the possibility of submitting that trade agreement.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, I further say to the gentleman, the majority leader, that we've had a discussion on the floor today about the potential transfer and release of terrorist detainees from Guantanamo Bay. There's also been significant debate on the interrogation of these terrorist suspects, including the potential for congressional hearings and possible legislation.

I say, Madam Speaker, to the gentleman, the Speaker of the House has signaled her intent to create a truth commission to investigate CIA interrogation tactics. I was wondering, Madam Speaker, if the gentleman could tell us the status of that truth commission and when we might expect such a commission to be formed and perhaps produce legislation that would come to the House floor to be voted upon.

Mr. HOYER. There has been discussion of such a commission. I have supported such a commission. The Speaker has discussed it as well, as the gentleman correctly points out. At this point in time, however, there has been no action taken on the creation of such commission.

So at this point in time, I certainly wouldn't anticipate when and if legislation might come to the floor. I would not be surprised if committees of Congress, however, did, in fact, take cognizance of both of the issues the gentleman raises, and there might possibly be legislation from committees. The commission is under active consideration.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, I would say to the majority leader that there is a concern on this side of the aisle to make sure that any investigation, if there is a creation of a truth commission, as the Speaker has indicated she would like to see, that there be a process by which a clear discussion, if you will, revelation as to whether Members of Congress, which Members of Congress and maybe the Speaker herself was briefed on the process, on the interrogation tactic of waterboarding and would ask the gentleman, is it his intention that if such a commission were to be formed that type of open process would be followed?

I yield to the gentleman.

Mr. HOYER. I certainly think that an open process would be followed.

But let me say to the gentleman, as I have said in the press, and he may have read it, much has been said about who knew what, when and where. Very frankly, my view is what the substance of this issue is what was done, why was it done, and was it done consistent with the law.

There is much opinion that it was a violation of the law and a violation of international law. That is the issue that this country needs to look at. That is the issue that this country needs to examine so that going forward, this country makes a determination as to what is lawful conduct.

In fact, of course, the former President of the United States made it very clear and enunciated, this country does not torture. The problem with that representation, as the gentleman clearly knows, is that many legal experts have indicated that, in fact, torture occurred. So from that perspective, I would tell my friend that what ought to happen is we ought to look at the substance of whether, who knew what, when, why is a distraction. That is my view, I will tell my friend. It is a beating on the table.

What we really need to do is find the facts of what was done, what was the rationale for doing it, was it legal; if it was not legal, why did we pursue it; and was it consistent with our international obligations. And as so many generals have indicated, do we want to subject our own people to such conduct when and if they may be in custody by a foreign power or terrorist?

So I say to my friend that I understand the beating on the table, if you will. But from my own personal perspective, that's not the issue on either side of the aisle, who knew what or when they knew it. What is the issue is what was done. That is my presumption of what a commission would do. I presume as well that committees of this Congress may be interested in that.

Mr. CANTOR. I thank the gentleman.

I think there is certainly a concern to ensure that all laws have been followed. Certainly our primary concern is to make sure that we are protecting Americans in everything we do. And given the growing threat globally, the

terrorist threat that we face, all of us share in that end.

But I would say to the gentleman that somehow there have been statements made by the Speaker and others indicating a certain preconceived bias, like a belief that perhaps the CIA or others have somehow misled us.

I do think the gentleman is correct in saying that we need to focus on what kind of practices occurred, but I also think that in an ongoing manner, to ensure compliance with the law, we need to understand if there is some type of preconceived bias, as was indicated in some of the public statements that may have been made today. And I do think that the gentleman would agree, openness and an indication of a predisposition prior to the revelation now of who knew what when may be somehow shaping the bias in these discussions.

I share with the gentleman the notion, we need to follow the law. But if there is somehow a belief—and I'd ask the gentleman whether he shares this belief—that somehow the CIA or others have intentionally misled this body, because that seems to be some concern that has been raised today.

I yield.

Mr. HOYER. I have no idea of that. I don't have a belief of that nature because I have no basis on which to base such a belief. I certainly hope that's not the case. I don't draw that conclusion.

What I say to the gentleman, once again, is that to a degree, that is a distraction. It is not irrelevant, but it is a distraction from the central point. I will tell my friend that I think there is far too much discussion about what was said as opposed to what was done.

The truth commission I think has a responsibility—or whatever we call a commission that would look at this issue—not so much for what was done but to ensure that what we do going forward is legal, consistent with our values, consistent with our morals, and consistent, as the gentleman points out, with protecting our Nation and our people.

In my view, we have a responsibility to do all of those. In my view, we can do all of those. They are not inconsistent with one another. And that is what I think we ought to be looking at as we look at what happened so that what happens in the future—because certainly this Nation is going to be under threat now and in the future. I think it's very important. I frankly think that upholding our values is consistent with also protecting our security.

Mr. CANTOR. I thank the gentleman.

I remain concerned. And I think it is shared by my colleagues on this side of the aisle that if it is the intent of the Speaker and the majority leader to pursue a truth commission surrounding the investigation of terrorists and the interrogation tactics employed, that we do know what interaction this body had, the Members of this body and its committees had, in the oversight of the tactics that were employed. Because if we are all concerned about following the law, which we should be first and foremost here, and if there was acquiescence, if there was knowledge on the part of this body, but yet now allegations made suggesting that certain tactics were used and were against the law, that raises serious questions about the ability for this body going forward to properly exercise its oversight authority so we do uphold the law.

That would be our concern over here, Madam Speaker, that we make sure that there is a full vetting of what transpired so that we don't repeat the type of mistakes perhaps or we don't repeat the omission of action, if you will, on the part of this body.

With that, Madam Speaker, I thank the gentleman, and I yield back the balance of my time.

HOUR OF MEETING ON TOMORROW

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 1 p.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet 12:30 p.m. on Monday next for morning-hour debate, and further, when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, May 19, 2009, for morning-hour debate and noon for legislative business.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title;

H. Con. Res. 80. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

HELP FOR NEW JERSEY SENIORS AND VETERANS

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

Mr. ADLER of New Jersey. Madam Speaker, I rise today to call attention to the struggles of our seniors and our veterans. These are tough economic times. Many New Jersey families, seniors and veterans are struggling to make ends meet. That's why I'm pleased to know that seniors and disabled veterans are receiving a $250 economic recovery payment this month. We have to make sure our seniors and our veterans receive the benefits and relief they need and so richly deserve.

When I reviewed the first draft of the economic recovery package, I realized that retired seniors and disabled veterans were completely excluded from receiving any tax rebate. I worked quickly to fix this oversight, introducing the Safeguarding America's Seniors and Veterans Act which was included in the final recovery package enacted into law. Fortunately, New Jersey seniors and disabled veterans will now be receiving $250 in tax relief this month.

During these tough economic times, we must ensure that we take care of our seniors and our veterans, those who have made our country so great and kept us safe and free. These $250 checks have already started arriving in homes in Burlington and Ocean Counties and in Cherry Hill and are making a great difference in the lives of our seniors.

I'm happy to be part of this process.

CONGRATULATING LAUREN ZUMBACH

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

Mrs. BIGGERT. Madam Speaker, I rise today to honor and congratulate a remarkable young woman from my district, Lauren Zumbach, who was just announced as a 2009 Presidential Scholar.

The Presidential Scholar program annually recognizes 141 of the Nation's most exemplary high school seniors who have demonstrated outstanding academic performance as well as exemplary leadership, citizenship and community service. Lauren embodies all of these traits.

A poised and confident young woman, Lauren is a leader both in and out of the classroom. As a student athlete at Hinsdale Central High School, Lauren has been a straight A student while contributing to her championship cross-country team.

Her accomplishments do not end there. Outside of the classroom, Lauren has organized work days to improve local forest preserves. She has worked to instruct area children about safe online behavior. And just last fall, Lauren was the impetus behind Trot for the Troops, a 5K race that raised money for the Illinois chapter of Operation Homefront.

In a few weeks, Lauren will graduate from Hinsdale Central High School, and I congratulate her on receiving the 2009 Presidential Scholar award.

□ 1645

THE MEDIA SHOULD HOLD OBAMA ACCOUNTABLE

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

Mr. SMITH of Texas. Madam Speaker, last week, the Obama administration increased its budget deficit projection to more than $1.8 trillion and then promptly blamed the deficit on former President Bush. Most of the national

media have blindly accepted this false charge despite facts to the contrary. President Obama did not inherit the current budget which spends too much, taxes too much, and borrows too much. But he did vote for last year's budget as Senator. President Obama didn't inherit the $787 billion so-called ''stimulus package,'' he authored it. President Obama didn't inherit out-of-control government spending. He has presided over it.

At some point the national media needs to hold the current administration accountable for its own spending and the ballooning deficit which will increase inflation and slow economic growth.

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 Maryland (Mr. HOYER) is recognized for 5 minutes.

(Mr. HOYER 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. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AMERICA'S TREASURY IS BARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Madam Speaker, today we passed the supplemental bill. And I'm deeply disappointed about that. I was disappointed also that I wasn't able to get any time to enter into the debate because the time was rather limited and it was a closed rule. But I did want to make a couple of comments and the concerns that I have had about this supplemental.

When the President sent the supplemental over, it was $84.9 billion. And there were some of us that were hoping that we wouldn't be funding the war through supplementals, but it looks like that hasn't changed, the process would continue, even though there were some that believed there would be a change in the way we funded these wars. When that bill came to the House, there was a lot of expression about concern about spending too much money. But by the time it got to the floor, it was $96.7 billion. And things were added, for instance, $2 billion for the flu epidemic that didn't occur, but still, we are going to spend $2 billion trying to figure out whether we are ever going to have an epidemic.

It was very disappointing that even though it was a closed rule, the minority had one chance to do something about it and maybe reduce some of the spending. But lo and behold, when that amendment was offered, it was offered to increase the spending by $2.9 billion. There was a lot of expression of the outcry about this spending and the deficits we have and the deficits exploding and the Social Security, Medicare, Medicaid underfunded, and we are in the midst of a crisis. But it doesn't seem to bother anybody about spending. But the truth is, the Treasury is bare. The Treasury is empty. And yet we continue to spend all this money.

So where do they think they are going to get this money? Well, we can't tax the people any more. The people are broke. And yet still we resort to more borrowing and more printing of money which will not last forever. It will eventually come to an end. And I think that is what we are witnessing.

This process bothers me a whole lot that we come to the floor with the supplementals. We rush them through. We talk about this excessive spending. And lo and behold, when we finally vote, we get a total of 60 people who would say, Enough is enough. And besides, what are we doing? Where are we spending this money? I thought we were supposed to, with this change in administration, that we would be fighting less wars. But no. The war in Iraq continues. We expand the war in Afghanistan. We spread the war into Pakistan. And we always have on the table the potential danger of Iran.

So when will it ever end? We can't even define the enemy. Who exactly is the enemy over there? Is it the al Qaeda? The Taliban? Is it the Government of Pakistan? If you can't define the enemy, how do you know when the war is over? If we are in war, which we are, how can this be anything other than war? When was this war declared? Oh, well, we got this authority 5 or 10 years ago. Who knows when? Perpetual war. This is what we are involved with. Perpetual spending. And then we say, well, we have to do that to be safe. That is what is preposterous. It is the very policy that makes us unsafe. We pursue this policy, and the more we do, the less safe we are. There is a big argument now about whether we are safer now with the new administration or is it making us less safe?

The truth is the policies of the last 10, 15, 20 years have made us less safe. And as long as we occupy countries, as long as we kill other people and civilians are being killed, we are going to build enemies. And as long as we are known throughout the world that we torture people, we will incite people to hate us and want to come here to kill us. So we aren't more safe. We are less safe by this foreign policy. And some day we have to wise up, change our ways and not be the policeman of the world, not to pretend that we can be the nation builder of the world, swear off and make sure we don't torture, because you don't get worthwhile information from torture. All it does is incite people against us. And the occupations can never be of any benefit to us.

What about the financial calamity that is coming? I'm afraid this is the way this will end, through another financial crisis much bigger than the one we currently have, because you can't create $2 trillion of new money every year and expect this system to continue.

The Soviet system collapsed because they couldn't afford it. Their economic system was a total failure. We did not have to fight the Soviets. Even though they were a nuclear power, they collapsed and disintegrated. And that is what we have to be concerned about, because we cannot continue to finance this system and pursue a policy which endangers us.

So if we care about the American people and care about our liberties and care about our Constitution, we ought to look seriously at our foreign policy and not continue to pursue the supplemental appropriations where we continue to spend money that we don't have.

H.R. 1924, TRIBAL LAW AND ORDER ACT OF 2009

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from South Dakota (Ms. HERSETH SANDLIN) is recognized for 5 minutes.

Ms. HERSETH SANDLIN. Madam Speaker, I rise today to discuss H.R. 1924, the Tribal Law and Order Act of 2009. I was proud to reintroduce this legislation designed to address the serious deficiencies and systemic flaws within the Federal agencies charged with providing law enforcement and justice programs in Indian country.

As the at-large Member of Congress for South Dakota, I am proud to represent nine sovereign Native nations. The Federal Government has a unique relationship with the 562 federally recognized tribes. This government-to-government relationship is established in the U.S. Constitution, recognized through hundreds of treaties, and reaffirmed through executive orders, judicial decisions and congressional action.

Law enforcement is one of the Federal Government's responsibilities to federally recognized tribes. Yet on many counts, we are failing to meet that obligation. In April, Oglala Sioux Tribe president, Theresa Two Bulls, testified at the House Appropriations Subcommittee on Interior, Environment, and Related Agencies' oversight hearing on law enforcement issues in Indian country. President Two Bulls discussed the law enforcement crisis on the Pine Ridge Indian Reservation in southwestern South Dakota. She explained how large, land-based reservations struggle to maintain the level of officers needed to protect tribal members.

President Two Bulls illustrated the seriousness of the public safety crisis by telling the committee of one case. A young woman living on the reservation received a restraining order against an ex-boyfriend who battered her. One night she was home alone and woke up as he attempted the break into her home with a crowbar. She immediately called the police, but due to the lack of land lines for telephones and the spotty cell phone coverage, the call was cut off three times before she reported her situation to the dispatcher. However, the nearest officer was 40 miles away. Even though the young police officer who took the call started driving to her home at 80 miles per hour, by the time he arrived, the woman was severely bloodied and beaten. The perpetrator was nowhere in sight.

All Americans should be outraged by this grossly inadequate law enforcement infrastructure which is clearly ill-equipped to deter, prevent or prosecute crimes and criminals. For families who take a basic sense of safety and security for granted, these stories should serve as a wake-up call.

And it is not an isolated incident. As I meet with tribal leaders throughout South Dakota and Indian country, I know that these tragic stories are not unique to the Pine Ridge Indian Reservation. Amnesty International has reported that violence against Native women is particularly widespread. American Indian and Alaska Native women are more than 2½ times more likely to be raped or sexually assaulted than women in the United States in general. Yet the majority of these crimes go unpunished.

While addressing the lawless conditions in Indian country will require significant changes in the way that the Federal Government works with tribes, as well as a meaningful influx of resources into reservations in most need, H.R. 1924, the Tribal Law and Order Act, is an important step to addressing the complex and broken system of law and order in Indian country. This bill would establish accountability measures for the Department of the Interior and the Department of Justice with regard to tribal law enforcement. This bill also seeks to increase local control to tribal law enforcement agencies and to authorize additional resources for tribes to address the safety and security needs of their communities.

Specifically, this bill would clarify the responsibilities of Federal, State, tribal and local governments with respect to crimes committed in tribal communities. It would increase coordination and communication among Federal, State, tribal and local law enforcement agencies. It would empower tribal governments with the authority, resources and information necessary to effectively provide for the public safety in tribal communities. It would reduce the prevalence of violent crime in tribal communities and combat violence against Indian and Alaska Native women. It would address and prevent drug trafficking and reduce rates of alcohol and drug addiction in Indian country and increase and standardize the collection of criminal data and sharing of criminal history information among Federal, State, and tribal officials responsible for responding to and investigating crimes in tribal communities.

Native American families, like all families, deserve a basic sense of safety and security in their communities. The Tribal Law and Order Act is an important step toward meeting the Federal Government's responsibility to Native communities. And I urge my colleagues to join me in moving this important legislation forward.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE CAP-AND-TAX BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

Mr. SHIMKUS. Madam Speaker, it looks like the Energy and Commerce Committee is moving forward in addressing and moving on the cap-and-tax bill. And I'm coming to the floor to just talk about the real-world implications of what this bill might do. The basic premise is this: carbon fuels are bad, whether that is coal or whether that is petroleum crude oil. And because it is bad, we are going to have to monetize it, which means put additional cost on that to decrease people's use of that fuel.

There are problems with that premise. We went through the last Clean Air Act amendments in 1990 in the State of Illinois. In the Midwest particularly there were a great deal of problems. This is a picture of miners from the Peabody No. 10 mine in Kincaid, Illinois. They were part of the 14,000 United Mine Workers that lost their jobs in the last Clean Air Act amendments. At this one mine location, over 1,200 miners lost their jobs, and that has caused a devastating effect in southern Illinois.

Now, Illinois wasn't the only State affected. I always like to highlight the State of Ohio. The State of Ohio lost 35,000 mine worker jobs in the last Clean Air Act amendments—35,000 people. And that is not just individuals. That means that affects their families, the small rural communities in which they reside, the tax base for the school districts, the spin-off effects of folks having good-paying jobs averaging from 50 to $70,000 a year with benefits, gone.

□ 1700

This is an editorial in the Wall Street Journal yesterday. They used this picture. Again, a picture paints a thousand words. We know that the economy is struggling today. So this identifies ''Ship USS Recovery'' with Uncle Sam. You would think that Uncle Sam would want to help lift this economy up by throwing a lifesaver to the people who need it and create jobs. Well, Uncle Sam is doing it, but he's showing an anvil which is listed as a big tax to the drowning citizens. Now, we all may chuckle with this, but that is exactly what the cap-and-tax, cap-and-trade bill will do.

And you don't have to take my word for it. Take the word of someone highly respected, the dean of the House, Chairman Emeritus JOHN DINGELL, who said this in a committee hearing just 2 weeks ago, ''Nobody in this country realizes that cap-and-trade is a tax, and it's a great big one.''

If you don't want to take his word for it, take the word of now President Barack Obama, who was quoted as saying, ''Under my plan of the cap-and-trade system, electricity rates would necessarily skyrocket. That will cost money. They will pass that money on to consumers.''

Now, that's real money to real citizens, citizens like these folks right now who are drowning in the inability to either make their own payments or for the manufacturing sector of our society to compete today.

What we fear, if the Democrats are successful, is that we have a hard time competing in the manufacturing sector around the world. We usually are able to compete because of low-cost power and a very efficient manufacturing sector. We can't compete on wages. We can't compete on environmental restrictions of sovereign nations. So if we take another variable off the table of how we can compete, what will happen is this: We will drive more manufacturing companies offshore to countries that aren't going to comply with monetizing carbon. Who are these countries? China, India, who have stated over and over again they don't care what the United States is going to do, they are going to continue to build, in the case of China, one new coal-fired power plant every 10 days. What we could do is we could go all the way down to zero and the world's carbon dioxide emissions are going to increase.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. ROYBAL-ALLARD) is recognized for 5 minutes.

(Ms. ROYBAL-ALLARD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

COST OF THE WAR IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, I have come to this floor repeatedly. In fact, I have come to the floor over 300 times to discuss the human costs of war. Our brave men and women in uniform have given their lives in service to our Nation, and tens of thousands have returned home with physical and mental scars. And it isn't over yet.

The costs in treasure and blood will be felt for generations. The National Priority Project has done a comprehensive review of the costs, and they are actually staggering.

Since 2001, 675 U.S. troops have been killed in Afghanistan and more than 2,600 soldiers have been wounded in action. The trend is not encouraging: The U.S. death toll has escalated each year, from 12 in 2001 to 99 in 2005, 117 in 2004, and 155 in 2008. And it's not over.

The war in Afghanistan has cost taxpayers $171 billion. With the supplemental that was passed today, we have just added $77 billion to fund the wars in Iraq and Afghanistan through the year 2009. Obviously, it's not over. An additional $130 billion will fund both wars anticipated in the 2010 budget.

It appears from today's vote that many here in the House of Representatives haven't learned the lesson from our occupation of Iraq. And according to policy experts, Iraq is going to look like a cakewalk compared to the battles that we will be seeing in Afghanistan.

Let's look at what the occupation of Iraq has actually brought: The occupation of Iraq has cost $656 billion so far, with another $52 billion voted on today as part of the fiscal year 2009 war supplemental. At least $2 trillion in future budgetary costs, including veterans' benefits, will be spent in the very near future. Almost 4,300 U.S. servicemembers have died in Iraq so far. And hundreds of thousands of Iraqi civilians have been maimed and killed.

Madam Speaker, the costs are too great. We don't have a defined mission in Afghanistan. We do not have a development plan. Our endless military presence will only serve to fuel anti-Americanism throughout the region. But it continues to go on.

So what's the cost here at home? As we experience one of the worst economic recessions in our Nation's history, every taxpayer dollar becomes more valuable. Today the majority in the House decided that funding an endless occupation of two countries is more important than education, health care, and renewable energy right here at home.

For my State of California, the war in Afghanistan has already cost us $21 billion. That means 2.6 million new Head Start places for children that need to go to school. It means 9 million individuals could have been provided with health care, 38.7 million homes could have been provided with renewable electricity.

We make choices every day on the House floor. Today that choice reflects a decision to keep our troops in Iraq until the end of 2011 and in Afghanistan indefinitely. This vote does not invest in SMART Security. It does not take us into the 21st century, because for every dollar in the supplemental dedicated for smart humanitarian investment, $8 will be spent on the military. And it keeps going on.

I want to say we either change the way we meet our obligations and have a different way of coming together with nations that we don't agree with or we're going to be in a lot of trouble as human beings.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TROUBLES IN THE AUTO INDUSTRY ARE NOT JUST A MICHIGAN PROBLEM; TODAY WE SEE THEY ARE AN AMERICAN PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Mrs. MILLER) is recognized for 5 minutes.

Mrs. MILLER of Michigan. Madam Speaker, I represent a district in southeast Michigan. We are a part of the very heart and soul of our domestic auto industry, an industry that has served our country very well. It's built the weapons that America needed in times of war when our freedom itself was at risk. It's provided millions of Americans an opportunity for a good job with good benefits and a secure retirement.

We all understand that the American auto industry has fallen on very, very hard times. Those of us in southeast Michigan understand it well. It's not a new development. We are painfully aware of it. We've dealt with plant closings and thousands of jobs lost. We've dealt with families torn apart, home foreclosures, and communities devastated. And we've endured massive new unfunded Federal mandates placed upon our industry, which have made it very difficult to compete. We've watched as Federal and State incentives have been offered to foreign competitors to come into our home market on equal terms, even though similar access to foreign markets has not been offered to our domestic companies. We've seen this government negligent in not formulating a manufacturing policy that protects vital American interests and good-paying American jobs. And for years we never asked for help.

But when Wall Street melted down last year, our problems were made even worse because 80 percent of the people who are going to buy an automobile require credit and not enough credit was available, and, of course, auto sales have just fallen through the floor. And when the auto companies came to Capitol Hill to ask for similar assistance that's been given to the Wall Street banks, those whose actions made their problems even worse, the auto industry was treated with disdain and their pleas for help were rejected by this Congress, which seemed indifferent to the problem and to the desire to protect American jobs.

This was a Michigan problem we were told, not an American problem. We tried to remind our colleagues of everything that this industry has meant to our great Nation, and again we received indifference and we were told, Just let them go into bankruptcy.

We were told that these companies needed to shed their legacy costs. Well, guess what. Legacy costs have names. They are people. And we're told that this has to be done because these foreign competitors who were given free access to our market do not have such legacy costs. Or imports which are built by low-wage workers overseas do not have these legacy costs. We are told we need to drive American wages down to match Third World competitors in order to compete.

Well, today we see that this is not just a Michigan problem anymore; today it is an American problem. Today Chrysler is in bankruptcy court, exactly what many in this Congress advocated for. And today Chrysler filed a list of 789 dealerships whose franchise agreements it is asking the bankruptcy court to sever. That means the closure of 789 dealerships in communities all across our great Nation.

These businesses represent not just a place to buy a car, but they represent community leaders, the sponsors of the Little League teams or the chairman of the Rotary. In many cases the biggest job provider in the town. The average dealer in this Nation, Madam Speaker, employs over 50 people. So this move means the loss of over 40,000 more jobs. Now 789 communities across this Nation will feel the pain of a contracting domestic auto industry. The pain of a business shutting down, the pain of jobs lost, the pain of families who will be devastated.

And tomorrow that pain will only get worse as General Motors is also set to release a list of dealers it hopes to shed and a list that will be much, much larger than 789 dealers.

Madam Speaker, this list was submitted as a part of that bankruptcy filing, a bankruptcy that many Members were advocating for when they believed it was just a Michigan problem. And now we see Members lamenting the fact that dealerships in their districts are closing. And they fail to realize that if this bankruptcy had happened last December, when they voted against bridge loans for the auto industry, it would have included every Chrysler dealer, because a disorderly bankruptcy would have led to the liquidation of Chrysler. So some Members got what they advocated for, Chrysler in bankruptcy, which today has led to the loss of 40,000 jobs. And tomorrow it will get worse.

It is time to understand that preserving, protecting, and defending our auto industry doesn't just solve a Michigan problem, it solves an American problem, and it defends jobs in every community in our great Nation.

It is a shame, Madam Speaker, that we had to learn this lesson on the backs and the livelihoods of another 40,000 of our fellow Americans.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

(Ms. BERKLEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

□ 1715

EMBRACE MARRIAGE EQUALITY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maine (Ms. PINGREE) is recognized for 5 minutes.

Ms. PINGREE of Maine. Today I want to recognize some actions in my home State. Last week Maine became the fifth State in the country to embrace marriage equality.

Same-sex couples live all over our State in loving, committed relationships, raising families and growing old together, yet they have not been afforded the rights and responsibilities that come with marriage. Last week our legislature took a major step towards correcting that injustice.

In the week leading up to the vote, thousands of people filled the Augusta Civic Center to testify on the marriage equality bill. People came from all over our State, men and women, straight and gay, young and old, couples and single people. Many of them waited hours for their turn to speak. When they got to the microphone, the overwhelming majority said it was time for Maine to recognize same-sex marriage.

Maine moved the country one step closer to federally recognizing and protecting the right for two people, regardless of their gender, to be married. Maine has always been an independent State with a forward-looking legislative body and citizens with common sense.

I stand here today to congratulate my home State on the passage of this landmark victory.

The landmark victory didn't come easily or without long debate. Many personal journeys began and ended with this lengthy discussion.

My daughter happens to be the Speaker of the House, and she shared her own personal story, which, with pride, I would like to share a few of her words which reflected our family's feelings. She said, when she got up to testify, ''This issue was brought home for me two summers ago when my husband and I were married. Our island pastor was on a trip abroad and unavailable to perform our wedding ceremony. My husband and I wanted to be married by someone we knew and trusted. We asked a good family friend to perform our wedding; we knew his tone, his presence, and his sense of humor would be perfect. He was honored to do it, and we immediately got to work planning the ceremony. Throughout the preparations for the wedding, he gave us honest and valuable advice about the joys and challenges of a lifetime of commitment to another person. He gave us some of the best advice either of us has ever received about marriage.

''As we drove away from our wedding rehearsal, all of us happy and relieved that everything seemed to be going well, my friend said to me, 'I am honored to perform your wedding. It is going to be great. But it is important to understand that you and Jason have the right to do something very special, and it's a right that I don't have. The friend that married us is a gay man who has been living in a committed and loving relationship with the same man for more than 30 years.

''I was struck in that moment that a person whom I respected and trusted, a person as close to me as some of my dearest relatives, a person whose relationship was a model for trust, compassion, longevity, was legally denied a right and status that my husband and I were about to be granted. There is nothing fair about giving some committed couples in Maine the right to the legal responsibilities and privileges of marriage and denying it to others.''

That was my daughter, Hannah, the Speaker of the House's story, and one that held great meaning to my family and to so many of us across Maine as we considered the plight of many of our friends in committed relationships who haven't been allowed the right to make it legal.

When the deliberation ended at the public hearing and it was time to vote, many of Maine's State legislators found themselves in new territory. As Governor Baldacci made clear just after signing the marriage equity bill into law, he said, ''In the past, I opposed gay marriage while supporting the idea of civil unions. I have come to believe that this is a question of fairness and of equal protection under the law, and that a civil union is not equal to civil marriage.''

Madam Speaker, as we in this body consider the future of issues of equality, it is important that we all take a moment to reflect on the history that was made in Augusta, Maine, this month. Eighty-nine State representatives, 21 State senators, and one Governor put themselves on record supporting fairness and equality, and one more State voted to do the right thing.

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 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 gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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 Illinois (Mr. QUIGLEY) is recognized for 5 minutes.

(Mr. QUIGLEY 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 Nebraska (Mr. FORTENBERRY) is recognized for 5 minutes.

(Mr. FORTENBERRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING NEUMANN COLLEGE ACHIEVING UNIVERSITY STATUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

Mr. SESTAK. Madam Speaker, I rise to honor a remarkable institution of higher education focused on developing graduates, who understand that true reward comes not only through acquiring knowledge, but also the use of that knowledge in the service of others.

In the fall of 1965, the Sisters of St. Francis of Philadelphia opened Our Lady of Angels College, based in both liberal arts and Franciscan traditions, with just 115 female students in Aston, Pennsylvania. In 1980, male students were admitted for the first time and the board of trustees approved changing the college's name to Neumann as a tribute to the significant role former Bishop, and now St. John, Neumann played in the order's early formation.

Forty-four years later, through the tireless efforts of the Sisters of St. Francis of Philadelphia and their many supporters, the Seventh Congressional District of Pennsylvania is home to a new university. On April 30, the Pennsylvania Department of Education recognized more than 2 years of research, planning, applications, and campus

evaluations by issuing a certificate of authority to elevate Neumann College to university status.

The process of converting from a college to a university is lengthy and complicated, requiring the addition of full undergraduate studies in the arts and sciences, professional graduate programs, a doctoral program, and cultural programming open to the community. Neumann College's visionary and perseverant leaders, President Rosalie Mirenda and Vice President for Mission and Ministry, Sister Marguerite O'Beirne, OSF, have worked tirelessly with the entire Neumann staff to make the conversion possible.

In addition to schools of business and nursing, Neumann offers a college of arts and sciences, as well as six graduate and two doctoral programs. What sets Neumann apart from other colleges and universities is its unparalleled ability to educate its students outside of the classroom through programs that sharpen social awareness and ethical concern, which I have observed myself.

As Dr. Mirenda so eloquently writes of Neumann, ''We will give you the opportunity to experience the reality that learning and living are one; that education is truly the combination of the intellect, the body, the heart, and the soul, and that education is about relationships, going deeper into your being to discover the special gift of yourself and all creation that surrounds you.''

As part of its mission, Neumann University has a very strong minority recruitment program. Neumann works aggressively to see that a values-based private education is affordable to as many young men and women as possible. Neumann imbues each student with the notion that learning is a lifelong process.

Achieving university status marks the culmination of a remarkable transformation for Neumann. It is a living testament of the decency, hard work, and absolute commitment of the Sisters of St. Francis of Philadelphia.

Madam Speaker, today I acknowledge the 8,327 living alumni, the 3,037 current students, and the 507 faculty and staff, board of trustees, and President Mirenda especially on achieving their goal of advancing Neumann University as a recognized institution of higher education in the Catholic Franciscan tradition. I commend their dedication to making ours a better community, Nation, and world with so many better students and people.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REVISIONS TO THE 302(a) ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEARS 2009 AND 2010 FOR THE COMMITTEE ON APPROPRIATIONS.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under section 423(a)(1) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit for printing in the CONGRESSIONAL RECORD a revised 302(a) allocation for the Committee on Appropriations for each of the fiscal years 2009 and 2010. Section 423(a)(1) of S. Con. Res. 13 permits the chairman of the Committee on the Budget to adjust discretionary spending limits for overseas deployments and other activities when these activities are so designated. Such a designation is included in H.R. 2346, a bill making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes. A table is attached.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

[In millions of dollars]

	BA	OT
Current allocation:		
Fiscal Year 2009	1,391,471	1,082,540
Fiscal Year 2010	1,220,843	1,269,745
Change for H. R. 2346 overseas deployment and other activities designation:		
Fiscal Year 2009	90,745	0
Fiscal Year 2010	24,989	34,888
Revised allocation:		
Fiscal Year 2009	1,482,216	1,082,540
Fiscal Year 2010	1,245,832	1,304,633

THE PROGRESSIVE MESSAGE FROM THE PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Madam Speaker, let me welcome America and the rest of the world to the Progressive Caucus Special Order hour. We would like to call it ''The Progressive Message.''

And the Progressive message is something that the Progressive Caucus does every week to project a Progressive vision for America; not a reactionary vision, not a status quo vision, but a vision of America as we believe that it could be, can be, that all men and women are created equal and endowed by their Creator with certain unalienable rights, among them life, liberty, and the pursuit of happiness.

The Progressive Caucus and the Progressive message, tonight, are here to come to bring a message to the people about where we are going, where we have been. And tonight's topic is ''Why I'm a Progressive.''

Why I'm a Progressive; here's why. We are going to talk about it tonight, and it's going to be good. And to help us get kicked off on this subject of why I am a Progressive, I want to yield to the gentlelady from the great State of California, who is also one of our co-Chairs, LYNN WOOLSEY.

Ms. WOOLSEY. I would like to thank the gentleman from Minnesota and the gentleman from Colorado for being here, and the gentlewoman is going to be here, too.

Mr. ELLISON. From the great State of Maine.

Ms. WOOLSEY. She just announced to us the great progressiveness of her family and her State. Believe me, I honor you. Thank you for being part of this.

Progressive liberal, liberal Progressive. I mean, how often have we been chastised for being liberals? So we changed the word to ''progressive.'' It means exactly the same thing to me. I am proud if people call me a liberal, and I am proud to be a Progressive, because it is the same thing.

And what does that mean to all of us? What does it mean to me? Why do I want a label? Why do I care?

You know what? It's because I can count on Progressives, the people that I know to be Progressives, to put out their hand when somebody needs help, and that means here, as legislators, to know that our job is to work for those who have less, who maybe have come upon hard times and need a short-term lift. That's why I supported a welfare system that had a floor to it, that would actually help poor people so they didn't fall through the net.

And I am also going to say one more thing about being a Progressive. A Progressive, to me, knows that organized labor made the difference in this country in bringing a middle class to the United States of America, a class where families could work, could afford to buy their own home, could send their children to college and at the same time pay into their own retirement system so they could be independent when they retired, and, oh, what a concept, have health care.

So that's what Progressive values are to me and that's what being a Progressive is about, having the values, having the concerns, having the empathy for others and knowing that it isn't about us. We work for everybody in this country.

Mr. ELLISON. We have been here on the House floor together before, and at that time in the past you shared one of your own personal stories about what motivated you toward Progressive politics.

□ 1730

But leave it to say that the gentlelady from California, our co-Chair, LYNN WOOLSEY, came to Progressive politics not just because of something she read in the book, but because of the life that she lived that helped her understand what the importance of Progressive politics are all about.

I yield back to the gentlelady. Is that right?

Ms. WOOLSEY. That is absolutely true. But I have to tell you, when I was

a mom with my three little kids and my husband that eventually became mentally unbalanced but was very successful before we were 30 years old, I was the one in our group of friends that was arguing for other people.

So I have gone through going on welfare and taking care of my three children and all that. That just solidified for me. Thank heavens, I had that hand up. I certainly think that my job is to make sure others get the same advantage as I had.

But I was fighting for the underdog, for the person who needed help, and for the education of all, way back there when I was very comfortable.

Mr. ELLISON. The fact is that many of us come to our own conclusions about the need for shared prosperity, and some of us find that that helping hand that we would give others, sometimes we need it ourselves.

But, you know what? It's okay, because Progressive politics has a long, strong, proud history in the United States. Part of that history has been fighting for peace. And that fight goes on today.

I want to yield to the gentleman from Colorado, Representative POLIS, who has some views on that. How does Progressive politics inform you as you search for America as a more peaceful partner in the world?

I yield to the gentleman from Colorado.

Mr. POLIS. Thank you. I thank my colleague from Minnesota. Just today, hours ago in this very Chamber, we had a debate—not enough debate—but a debate about American military activities overseas in Afghanistan and Iraq, and specifically around Congress's role in funding these efforts.

I was proud to cast my vote against the supplemental. I think we need to fundamentally rethink the militaristic aspects of our foreign expeditions in Iraq and Afghanistan.

To me, what is a Progressive? It's somebody that questions the status quo. Who always asks, What can be better? Somebody who constantly seeks something closer for humanity to the state of perfection.

We know that it is patriotic to question authority rather than blindly follow authority. And that's an important distinction both in this Chamber as well as with one's friends when we're having discussions.

The most patriotic thing that we can do as Americans is ask ourselves these tough questions: Why are we occupying Iraq? Why are we occupying Afghanistan? Why are we putting our men and women in harm's way and causing many more casualties on the other side as well? What is our role ongoing in these countries?

Of course, Progressives want to protect America. Of course, we're concerned with the terrorist threat; of course, we want policies that protect our citizens and reduce the risk of terrorism here and abroad. But we question the conventional wisdom. Why does attacking a country that had nothing to do with 9/11 reduce the risk of terrorism here?

Mr. ELLISON, do you think that that had any effect on terrorism here?

Mr. ELLISON. The gentleman has yielded to me. The attack on Iraq is the single worst decision any President of the United States has ever made. And I'm proud to say the Progressives stood up and voiced opposition to it. But not only that—Vietnam. Not only that, members of the Progressive community have stood up and questioned the very military buildup itself and the United States posture in the world.

You know, I'd like to share with the gentleman, if I may, and the gentlelady from Maine, that if you took every military budget in the entire world—I'm talking about Palau, Timor-Leste; I'm talking about places like Indonesia, Kenya, wherever—and you added them all up and you compared them to the United States military budget, ours would still be bigger.

We spend more money on military armaments than every other country in the world—and many of our military expenditures go to things that have absolutely positively nothing whatsoever to do with fighting terrorism. They're for fighting Russians—states that are confined within nonporous borders, state actors, not nonstate actors who are fluidly moving throughout the world.

So I toss it back to the gentleman from Colorado and yield to the gentleman from Colorado. Have Progressives stood up for peace? What do you think?

Mr. POLIS. I just have one more thing to add. A majority of Americans agree that Iraq was a mistake—invading Iraq was a mistake. It shows that Progressives were right at the time to question that war. And if you recall, as I do, at that time there were many people saying, Oh, you're against the war; your un-American; you're unpatriotic. You're rolling over to the terrorists.

That war—and this is the majority consensus now, and you have mainstream groups across the ideological spectrum, you even hear this from the other side of the aisle, looking back, saying, If we knew what we knew today, we should not have invaded the country of Iraq.

Asking those tough questions, those critical questions, can be politically difficult at times. But it makes our country greater and it's how Progressive Americans across our country express their patriotism, by asking those questions that nobody else is asking, by not taking the wisdom from on high, be it from a Republican administration or a Democratic administration, that that's the way things are, but to use our own minds and rational thought to look at the information and look at it from an objective perspective and try to make our own opinion—not being pressured by outside groups or groups that might have an economic interest in a perpetual war, but rather to form our own opinions and voice our dissent where appropriate.

Thank you for the time.

Ms. PINGREE of Maine. Will the gentleman yield?

Mr. ELLISON. Let's now introduce our freshman colleague from the great State of Maine, Representative PINGREE, who comes here with a long-term service of the people of the State of Maine, but who is going to focus on another aspect of what it means to be a Progressive.

There's the peace aspect, there's the question of domestic economic progressivity, but there's also this element of Progressive politics, which says individual liberty is very important.

Let me yield to the gentlelady because she made a very important 5-minute speech today, which we would ask her to elaborate on just a little bit. Let me yield to the gentlelady from Maine.

Ms. PINGREE of Maine. Thank you very much. Thank you to all of my colleagues here today. It's nice to have the opportunity to join the two of you.

I first want to say that I concur. It was an important day to cast the vote that many of us did to recognize that there are serious issues around Iraq and Afghanistan. In spite of many of us coming from States where we have a lot of people serving in the military, and I greatly respect their service and the importance that all of us see in taking care of those who serve their country, this was also an important day to talk about the essential nature of finding an end to the conflict and making sure that we send the President that message.

I thank you for giving me this chance to talk a little bit about what it means to be a Progressive. You're right, I was fortunate to be on the floor just a few moments before we started the Progressive Hour to recognize something that had gone on in my State in the past week.

Maine is now the fifth State in the Nation to recognize the equality of marriage that everyone, regardless of their gender, should have the right to marry. As we all know, this can often be a contentious and difficult debate.

Thousands of people literally turned out at a public hearing in Maine to discuss this topic. People from all walks of life; from all religious backgrounds; people who were married and who weren't married.

I very proudly quoted from my daughter today. My daughter happens to be the Speaker of the House in Maine—far more important than her mother—and she gave a very eloquent speech about the fact she was married only a couple of summers ago by a wonderful friend of our family. And during the conversation preparing for the wedding, it occurred to her that her good friend who was marrying her had been part of a couple for 30 years, but because he was the same gender as her partner, was not allowed to be married.

So the person who gave her good advice, who performed the ceremony, was able to remind her everyone should have this right. I believe fundamentally it should be a Federal right. We should be talking about this at some point in our tenure.

But I'm just so proud of my home State, my own Governor, the State legislators, many of them who thought long and hard about the best way to cast their vote, but in the end said, Our goal is to do the right thing.

I just want to follow up a little bit about some of the things that you were already talking about before I close my remarks, but really on this idea of what it is to be a Progressive because JARED rightfully said that it's sometimes about asking the questions, of searching a little bit further, of taking the tough votes. I also think it is a matter of recognizing that we're all in this together.

For me, getting into politics—and I was first elected to the State legislature in 1992—but I became a school board member in my community years before that. Part of what I learned along the way is that the reason we do this is to recognize that we're all in this together. That if we're not all succeeding together; if we don't have health care; if everyone doesn't have a job; if we're not thinking ahead about the security or everyone, whether you're a soldier or not a soldier, we're not going to get ahead in the world. We're not going to have the kind of world that we want to have.

To me, that is the fundamental of this—our overarching political philosophy is just recognizing that none of us get ahead unless we all do it together. For me, that's always a question when I make a decision, whether it's an economic decision or an issue of health care.

I have been a small business owner. I'm proud to say that I employ other people. But I want to make sure that they're treated well, that they get fair wages, that their health care is covered. I believe that's part of the fundamental of the responsibility that we share to each other in this country and in countries abroad.

For me, that's a fundamental principle, and I'm proud to share these moments with my colleagues from Minnesota and Colorado, where I know those are their fundamental values, as well as many others that they bring to the floor today.

Mr. ELLISON. Will the gentlelady yield?

Ms. PINGREE of Maine. Absolutely.

Mr. ELLISON. Do you think that perhaps part of the Progressive tradition is this idea of individual liberty? There are certain things that we as Americans may not agree on, but we will agree that the decision rests with the individual.

I can't tell you, from Maine, how many children you should have, or whether you should have any. I can't tell you who to marry or who not to marry. I can't tell you about these essential decisions that are like your business.

This is a very Progressive idea. Sometimes when you hear about the government getting off people's backs, you associate it with people who are on the ''right'' end of the political spectrum. But when it comes to many other decisions that are essential and private, these are Progressive values.

How does the gentlelady from Maine feel about this idea?

Ms. PINGREE of Maine. Well, absolutely. Maine is an interesting State. We're about a third Republican, a third Democrat, and a third Independent, but pretty much everybody is independent there. I would say the overarching value that most people share is this idea that there is a right of privacy, of individual liberty; that I'm not going to interfere with your right to live your life in the way you choose as long as you respect my rights as well.

Because of that, even though we're economically quite disadvantaged in my State—it's about 38th in per capita income—people have worked hard to take care of each other, but also to somewhat leave each other alone. We have a lot of independent fishermen and farmers and people who make a living in a variety of ways, and most of them would say, Just preserve my independence and individual liberty and, while you're at it, can you make sure we get health care coverage.

But I think it's because people see those as values that should be shared, that come together.

Mr. ELLISON. If I can turn to the gentleman from Colorado. The gentlelady from Maine makes an interesting point. Part of the Progressive vision is doing things together which we should and could do together, and doing things separately, then maybe we get to make that call on our own. Maybe we should make sure that all Americans have health care, that everyone is safe, that women don't have to live in a home where they fear battering, and that we have a criminal justice system that protects them from that.

But maybe on certain other decisions like marriage or other things, that's just your business and we let people make decisions for themselves on that. How does the gentleman feel about this issue?

Mr. POLIS. If only those who object most vociferously to the government taking a dollar from my wallet to care for my brother and sister in this country would also object to the government appearing at the bedroom door, telling me who to marry, telling a woman whether or not to make the difficult decision to terminate her pregnancy. It is in fact somewhat hypocritical that while there seems to be a lot of care for the material aspects of freedom, there doesn't seem to be as much concern that I hear voiced for the equally, if not more important, personal aspects of freedom.

Truly, each individual is more important than the sum of their assets or a little entry on a ledger book. That might be a part of who you are—a very small part—but that's how you put food on the table and how you live, but there's a lot more to everybody. And when we as Progressives are talking about freedom, we're talking about the rest of the realm of our lives; those important everyday decisions in how you live.

And no, government shouldn't be telling people who to marry or whether or not to end a pregnancy or whether or not to use a certain kind of research that could save lives. No one is forced to engage in that research; no one is forced to even terminate a pregnancy; no one is forced to marry a gay person. But the question is: Should you have the right to do it if you wanted? And I think as Progressives, our answer is an unabashed yes.

Mr. ELLISON. If the gentleman would yield, when it comes to this issue of marriage equality, I always say to people that it's not mandatory. It's up to the individual. What about individual liberty?

I just want to ask the two Members with me today, the gentleman from Colorado, the gentlelady from Maine, to just review with me, if you would, some of these things that I believe were Progressive in nature.

□ 1745

When it comes to this issue of the American Revolution, I think it was progressive. Yes, America was a slaveholding country. Yes, women didn't have equal rights. And, yes, there were a lot of problems. But if you look in that day and in that time for the American colonialists to say we are not going to ruled by a king and we are going to choose our leaders, that was a progressive step forward.

We may look at that time and say there were problems, people didn't overcome a lot of social injustices. But if we look at it for what it was, individual citizens saying I don't want a king making up my mind for me, I want to cast a vote and select my own leaders, that, I believe, was a progressive step forward.

The Bill of Rights I think was progressive. Think about the first one: No government religious institution, everyone practices their own religion as they choose; the establishment clause; right to freedom of the press; right to assembly; right to redress grievances. It was a progressive step forward.

Universal white male suffrage. Of course, not all Americans got the right to vote at the same time, but there was a time when being a white male was not good enough to get you a ballot. You had to have some property. You could not be Catholic, you had to be a white male Protestant property owner. So when America said the property thing and the religious thing, those don't apply any more. Of course we would have liked to have more people get the franchise, but a lot of people got it.

Public education; emancipation of the slaves; national park system; food safety; break up of monopolies; antitrust legislation—progressive. The Homestead Act. Land grant universities so that all Americans could really enjoy a university education.

What about this one, I would like to ask the gentlelady from Maine, what about rural electrification, was that a progressive step forward for America?

Ms. PINGREE of Maine. Absolutely. I am glad you put this list forward today. I think it is an excellent collection of those things that we have done collectively to make sure that we are all better off.

Rural electrification was a very progressive idea. The idea that for economic development, for everyone to succeed, for people to have better opportunities, we all needed to be connected to each other.

I think one of the things that this underscores about Progressive values is the idea that you need to choose those things that will really benefit everybody. We all recognize we can't do everything. People sometimes accuse us of expecting government to do everything. We don't want to do that, and we don't want government to meddle in everything. But this is a very good list of those things that have benefited the greatest amount of people. And coming from a rural State, I know the importance of rural electrification.

In fact, I happen to live in a community that is about to construct a major wind tower, benefiting us as we look into the future, and we are still able to do that because of the organization that is there around rural electrification.

Mr. ELLISON. Would the gentlelady talk for a moment about the corollary of rural electrification and extending broadband access to all of America?

Ms. PINGREE of Maine. Absolutely. Again, representing a rural State, most people don't know, but Maine happens to be the most rural State in the Nation. Most of us live in small communities without access to cable, and the kinds of things that many other people have. Broadband has become essential for communication, education, and running a small business. Any kind of business, you need to be able to connect to people on the Net.

I personally run a business, and people wouldn't be able to find us if it wasn't for the Internet. But the fact is that many small communities don't have this. This is one of the reasons that this was part of the stimulus package that many of us supported and voted for because we believed it would help communities move ahead. Sometimes it is an inner-city neighborhood, and sometimes it is a distant neighborhood that needs that access to broadband. I think there is a correlation between what went on with the REA and rural electrification and what we are trying to do today to make sure that everybody in America has access to high-speed Internet. It is fundamental for education and now for medicine. We have many doctors who are able to diagnose at a distance in those communities that can't have a full-time doctor or the kinds of medical specialties that they need.

But people want to live and work in those communities. It is a great part of the American tradition. Whether you are a fisherman or a farmer, we want to continue that. It is a very important part of why we need to expand broadband.

Mr. ELLISON. I think it is a Progressive value because it says, look, we know Americans who live in rural America like living there. They grow the crops and they enjoy that life. But if there is no economy out there, then it is difficult to live out there and you see young people moving into the city, not necessarily because they want to but because they feel that they have to.

This rural electrification in one generation, broadband access in another, represents our shared commitment to each other to live our lives as we would choose.

Ms. PINGREE of Maine. Absolutely. People would say fundamentally, it was a part of America to expand west and be in rural areas. Many people choose the environment of rural America. But, frankly, we are dependent on those people who choose to grow our food, harvest our fish. Many in my State harvest the trees that make our paper and make our furniture. These are people with solid American values. Kids have wonderful schools to attend, and feel safe in their communities. We want to have more people who can have the opportunity to live there.

One of the biggest issues in my State is, How am I going to make a living and support myself? I think it is an important Progressive value to say what exactly does government need to do. We know we need to have security and roads. Maybe a high-speed train. You need to have health care available to you so you can feel comfortable and secure. But you also need broadband access. It is a very important thing.

Mr. ELLISON. Moving down the list, women's suffrage, 1920. It is important for Americans to know that women could not always vote in America. It was progressive women, Susan B. Anthony, Elizabeth Cady Stanton and others who stood up and fought. It was Sojourner Truth and a man by the name of Frederick Douglass fighting for women's right to vote. And it was women in the West who made the claim, we are already voting. You may not have a constitutional right to do it, but we do it in our State, and they helped lead the way.

But what about the abolition of child labor, the 8-hour workday? Pretty progressive. We all hope we can do that. Minimum wage, Social Security, civil rights for minorities and women, voting rights for minorities and the poor. Cleaning up our air, water, toxic dump sights, consumer product safety and Medicare.

Today, I ask the gentlelady from Maine, are we done? Has the Progressive agenda been completed? Do we have more work to do?

Ms. PINGREE of Maine. We are both standing here and many of our colleagues are here, many who wouldn't necessarily call themselves Progressive, but they are here because they want to pass more legislation that will foster our Progressive values.

That is a wonderful list that looks at issues that people struggle with in the economy. But the fact is, I would say that one of the number one concerns of people in America today is to have access to health care and have it be affordable. I think that needs to be added to that list. I think many of us won't rest until it is done.

Many Members in this Chamber hear from their constituents every day, Do something about health care. I am thrilled that we passed a budget with $630 billion in it for health care, but we have a lot of work to do to actually design the system and make sure that it is available to everybody, whether you are running a small business or you are an individual who has no coverage, or struggles with coverage that has such a big deductible it doesn't provide you with the care you need when you are sick.

Mr. ELLISON. Yes, we have a great progressive history, but we have a tall order to do. We have to get health care to all Americans. We have to make sure that we have a green renewable future so we can live in harmony with the planet. The planet is going to keep on turning. Whether we can continue to survive on it is another question.

I am happy that in the 110th and 111th Congress, we were able to pass legislation like the Lilly Ledbetter Fair Pay Act, which is an important step forward for people to bring pay equity lawsuits when they were victims of gender discrimination on the job.

We were able to pass the children's health insurance program, not health care for all, but health care for children, a very important bill.

We were able to pass the Local Law Enforcement Hate Crimes Prevention Act, which is a law that says, Look, you can have your value system as to how you feel about different sets of Americans, but you better not harm them. They are within the protection of the law. They have a right. People like Matthew Shepard will not be harmed. The rest of us will not tolerate it, and that is how we express our values for all human beings.

And as you pointed out the, American Recovery and Reinvestment Act, the so-called stimulus act which gave a tax cut to middle-class Americans. Progressives aren't against tax cuts; we are just against tax cuts for only the rich people. We believe that working people ought to get a break sometimes, too.

So these kinds of things are things that we are fighting on. This may be the history, but we have a tall agenda

for the future that we want all Americans to partake of.

I want to say briefly that to be a Progressive is to be one who believes, yes we have our individual rights, but we also have things that we proudly share together, like our safety and clean water and like our environmental legal regime.

But on the other side, what a Progressive is not, what a Progressive is not is somebody who basically operates on the basis of fear-based politics. We boldly say we can do this new thing together. We are not afraid to embrace the future. But there is a set of politics that says be afraid, be very afraid. The Russians or somebody is going to get you, and you have to be afraid. You can't share with anybody. You just have to look out for yourself. That is a set of political ideas that is prevalent around here, too; and those ideas are not the ones that made America great. The ones that made America great are the ones listed on this board and the ones that we are talking about now.

I yield to Ms. PINGREE for your final comments.

Ms. PINGREE of Maine. You have said almost everything that needs to be said. You have a great chart. In talking about some of the proud things in progressive history, I want to emphasize that virtually everything on that list is where people have said, We are all in this together. What do we need to take care of the basic fundamentals in this world so that we can prosper, so we can be safe and healthy and have a sense of security? That is what we are dedicated to.

I know those are the commonsense values of people in my State, people of vastly different political perspectives and economic perspectives who say, Look, unless we are all in this together—we have to move forward together or we are not going to get anywhere.

As you mentioned, we have a tall order in front of us. We have done a lot in the few months we have been here. And I feel proud as a freshman to have come at this moment in time when we have a President who cares so deeply about our relations around the world, economic justice for people and health care. It is a great moment to be here, but it is certainly a difficult task. Many, many people are struggling in this economy. States like mine are having a hard time balancing their budget and getting ahead. We have a lot of work here to do. I have been pleased to be here tonight, and look forward to many other dialogues like this in the future as we accomplish many of our goals.

Mr. ELLISON. As I just wrap up, this is the Progressive message. We have had Members, including Congresswoman WOOLSEY, Congressman POLIS, and Congresswoman PINGREE, talk about why I am a Progressive, giving their personal testimony and giving their own ideas and values about this critical subject.

We also want folks to be able to check in on the Website right here: http://cpc.grijalva.house.gov. Very important for people who are watching to check in and check out the Progressive Caucus agenda. It is very important. The Progressive Caucus is a moral force within the Congress bringing America to its better half.

I agree with Congresswoman PINGREE, who pointed out that all of these things on this list are things where people said, Look, let's embrace our common life, our shared life. But these are all things, and I think that Congresswoman PINGREE would agree with me, that before they were passed, people said it can't be done. They said this is something that we shouldn't do. But you know what? All of these things were done, and we are all as Americans much better off for it.

Let me also wrap up by saying that it was the words of President Barack Obama, who said in his first address to Congress, ''I reject the view that says our problems will simply take care of themselves, that government has no role in laying the foundation of our common prosperity.'' That rejected view, I submit, is a conservative view because government does have an important role to play in our common prosperity, and our problems will not simply take care of themselves.

□ 1800

President Obama went on to say, ''For history tells a different story. History reminds us that at every moment of economic upheaval and transformation, this Nation has responded with bold action and big ideas.'' I quite agree with the President on this point.

I yield back the balance of my time.

OFFICE OF LEGAL COUNSEL NOMINEE DAWN JOHNSEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Thank you, Madam Speaker. I appreciate being recognized and having the privilege to address you here on the floor of the House of Representatives.

One of the things that I am able to receive as I come down here and prepare for my hour here is an opportunity to listen to my colleagues and sometimes an opportunity to get an education. And if one listens carefully, Madam Speaker, there is a lot to be learned in this Congress. In fact, I believe that this is the most amazing educational experience that one could ask for.

We are the center of information here in many ways. Washington, DC, is a magnet for information. And as Members, we have staff and committee people that gather that information at our request and give it to us in a means by which we can understand it, process it, and utilize it.

In this information age that we have, this electronic era that we have, the Internet is full of information. The Library of Congress is full of information. There are all kinds of links out there; many of them are very credible, some of them are not very credible. So we sort through, and we are always looking at what is the original source. How do you document the credibility? Well, you figure out who the person was that wrote it and their measure of credibility.

So as I come to the floor and listen tonight, I am rather amazed at what I've learned. I saw this long list of successes of the Progressives. And I've lived through a fair amount of history by now, Madam Speaker, and I've studied a lot of history by now, and I had never equated the Revolutionary War to Progressives. That's a new thing to me. That's a revolution to me. It's a revelation to me that it was the Progressive group that decided that we should throw off the yolk of King George and grasp our freedom.

It seems to me that it was the Founding Fathers and those who shaped this Nation who put down in the document of the Declaration of Independence—that inspirational document—that our rights come from God and that those rights that flow from God into man are granted willingly to the people. That's a structure that—I guess you could call it progressive, but I haven't heard anybody on this side of the aisle that calls themselves Progressive stand up and say that their rights come from God or that there are natural rights and there is a natural order of things and it's ordered by the Master of the universe. That's what our Founding Fathers believed. That was the inspiration that shaped America. It was the inspiration that brought about the Declaration, and it was the inspiration that caused the perseverance that allowed the United States to prevail over the British in the Revolutionary War.

The Nation was forged on those fundamental values that haven't been openly rejected by the Progressives, but neither have they been embraced by the Progressive Caucus. But almost night after night I hear these things. The American Revolution, a success of the Progressives. That's a new one. I had not heard that one before.

The emancipation of the slaves. Well, that's an idea that is related to change. The institution of slavery had existed for thousands of years. But I didn't know that Abraham Lincoln and the abolitionists were considered to be Progressives. I thought they were, Madam Speaker, Republicans. In fact, I'm sure they were Republicans. I have no doubt about it.

The history of my family and the history of my understanding of the Republican Party is it was forged in order to abolish slavery. That's why they came about. That's why they formed together and nominated Abraham Lincoln because he was the abolitionist

candidate, the first Republican candidate, the first Republican President, Abraham Lincoln, emancipated the slaves.

What would Abe Lincoln think if he were able to listen tonight and answer to the rhetoric that is here on the floor of the House of Representatives that claims that emancipation, the end of slavery at the loss of 600,000 free people who gave their lives in the clash to put an end to slavery and to establish the States' rights issue and to tie the Union back together, all those things tied together. All of that blood that was spilled by the sword that paid for the blood that was drawn by the lash was spilled because Republican abolitionists stepped forward and said we're going to put an end to the atrocity called slavery. They didn't think of themselves as Progressives. I don't think the word existed in politics in the fashion that we hear it today.

There are a group of Progressives in this Congress today. I don't know how they associate themselves with the success of the American Revolution, inspired by the rights that come from God, or the end of slavery that was paid for in blood and inspired and led by people who formed the Republican Party for, at least in part, the specific purpose to abolish slavery.

And then I go on and I see the National Park System, Teddy Roosevelt. I would call Teddy Roosevelt—not a Progressive. I would call him a populist, but not a Progressive. So he was responsible for establishing the National Park System. When I first looked at it, I thought, well, the Progressives are the ''national pork system.'' I would agree with that, Madam Speaker. But, no, the typo didn't exist. The chart said, ''National Park System.'' So let's give that to the prairie populous, or the populous, not the Progressives.

Civil rights for minorities and women was another piece on this poster board; civil rights for minorities and women, passed by Republicans, majority of Republicans—more Republicans voted for the Civil Rights Act in 1964 than did Democrats. It gets distorted if you read the history off the poster. If you go back and look at the reality and the facts of it all, it's entirely different.

When I see rural electrification, it gets my attention. There have been a couple years of my life that I didn't use electricity that came from a rural electric cooperative. But almost every other year—most of the years of my life that has been our primary source of power. And I know where rural electrification came from. My families grew up on farms that didn't have electricity. They remember when the first wire got out there to the end of the line and they hung a light bulb in the barn so they could go out there and milk the cows in the dark; not by the lantern any longer, but by a 40-watt bulb that hung on a wire out of the ceiling of the barn. You pulled a little chain, turned the light on, then you could milk in the shadows of the light bulb instead of the shadows of the flickering lantern. That got there because of cooperatives.

And cooperatives, I believe at the very closest you could bring them towards progressivism would be taking them towards populism. It was the people out on the prairie and in the open range, the La Grange in the West, the populism that exists today within the politics of the people from where I live and points on west, that politics that decided we're going to settle this countryside and we're not going to live out here and live in darkness without water, sewer, water, lights or roads. We're not going to try to farm this countryside and take it back from the wilderness and turn it into a productive region unless—we can do it if we can bring electricity out, if we can bring services out, if we can bring telephone out.

And so they went to work and they set up cooperatives. They didn't view themselves as Progressives. They didn't even view themselves as populists. The people that established the RECs years ago, the rural electric cooperatives—and I have known many of them face to face, personally, as neighbors, most of them passed away by now. They shaped their cooperatives because it was the only way they could get electrical power out to the farms.

I happened to have followed that history from the time it was shaped together when they decided to build their first power plant. The network that comes to my part of the country that flows all the way up from what was South Crawford REC, now it's Western Area Power—or connected to Western Area Power, then on up through Basin Electric all the way up into the coal mines in Wyoming—which, by the way, Wyoming is one of the most punished States under the Waxman-Markey cap-and-tax piece of legislation. But they shaped this so that they could have electricity go to the farms.

And they had to join together to do it. They had to have a little help because it cost a lot more money to string a wire from farm to farm a half a mile to a half a mile than it does to string it from house to house in the city or into an apartment complex or into an office complex within a city. So they shaped the cooperatives to do that.

I noticed on that board that took all this credit for Progressives—the accomplishments of creative individuals that wanted to simply operate in a free enterprise economy—that it didn't have our grain cooperatives there, but we established those, too; the grain cooperatives so that the farmer-owned cooperatives could set up a grain elevator to store and dry their grain and ship it and market it, and also mix and grind feed and sell fertilizers and chemicals and make this all work.

It's the same kind of a function in the grain cooperatives as we had in our electric cooperatives. But in neither case was it Progressives that put this together, just like it wasn't the Progressives that fought and won the American Revolution or emancipated the slaves. In fact, of all these things that I've listed, it was a majority of Republicans—if you would identify their politics—that brought about these changes, most of which are good changes or they wouldn't have been listed on that poster board. But I think it's revisionist history, Madam Speaker, and I could not let that moment pass without raising that issue.

I will just stick with this subject for a moment, Madam Speaker, because I know what a Progressive is and I think America needs to know what a Progressive is. Now, it is not someone who has emancipated the slaves or fought and won the American Revolution or established a rural electric cooperative, not somebody that did those things.

It wasn't really somebody that—they may have played a part in, but they weren't a central part—that established the civil rights. It's people that believed in the intrinsic value of the individual, the rights that come from God regardless of what your race or ethnicity might be. That's not a Progressive thought. That's a thought of rights that come from God.

So here's what a Progressive is. And, Madam Speaker, anybody that's curious about this can just simply go to their Google page—that's the one thing that hasn't been nationalized at this point—and they can just Google in there dsausa.org—that's the Democratic Socialists of America, dsausa.org—and the screen will come up, and on it will say, ''What is Democratic Socialism?'' And when you read through this Web site—which I happen to have right here, Madam Speaker, and I will enter this into the RECORD—and this document that is the socialist Web site, peruse through it a little bit, dsausa.org.

WHAT IS DEMOCRATIC SOCIALISM?

Questions and Answers From the Democratic Socialists of America

Democratic socialists believe that both the economy and society should be run democratically—to meet public needs, not to make profits for a few. To achieve a more just society, many structures of our government and economy must be radically transformed through greater economic and social democracy so that ordinary Americans can participate in the many decisions that affect our lives.

Democracy and socialism go hand in hand. All over the world, wherever the idea of democracy has taken root, the vision of socialism has taken root as well—everywhere but in the United States. Because of this, many false ideas about socialism have developed in the US. With this pamphlet, we hope to answer some of your questions about socialism.

Q: Doesn't socialism mean that the government will own and run everything?

Democratic socialists do not want to create an all-powerful government bureaucracy. But we do not want big corporate bureaucracies to control our society either. Rather, we believe that social and economic decisions should be made by those whom they most affect.

Today, corporate executives who answer only to themselves and a few wealthy stockholders make basic economic decisions affecting millions of people. Resources are used to make money for capitalists rather than to meet human needs. We believe that the workers and consumers who are affected by economic institutions should own and control them.

Social ownership could take many forms, such as worker-owned cooperatives or publicly owned enterprises managed by workers and consumer representatives. Democratic socialists favor as much decentralization as possible. While the large concentrations of capital in industries such as energy and steel pay necessitate some form of state ownership, many consumer-goods industries might be best run as cooperatives.

Democratic socialists have long rejected the belief that the whole economy should be centrally planned. While we believe that democratic planning can shape major social investments like mass transit, housing, and energy, market mechanisms are needed to determine the demand for many consumer goods.

Q: Hasn't socialism been discredited by the collapse of Communism in the USSR and Eastern Europe?

Socialists have been among the harshest critics of authoritarian Communist states. Just because their bureaucratic elites called them ''socialist'' did not make it so; they also called their regimes ''democratic.'' Democratic socialists always opposed the ruling party-states of those societies, just as we oppose the ruling classes of capitalist societies. We applaud the democratic revolutions that have transformed the former Communist bloc. However, the improvement of people's lives requires real democracy without ethnic rivalries and/or new forms of authoritarianism. Democratic socialists will continue to play a key role in that struggle throughout the world.

Moreover, the fall of Communism should not blind us to injustices at home. We cannot allow all radicalism to be dismissed as ''Communist.'' That suppression of dissent and diversity undermines America's ability to live up to its promise of equality of opportunity, not to mention the freedoms of speech and assembly.

Q: Private corporations seem to be a permanent fixture in the US, so why work towards socialism?

In the short term we can't eliminate private corporations, but we can bring them under greater democratic control. The government could use regulations and tax incentives to encourage companies to act in the public interest and outlaw destructive activities such as exporting jobs to low-wage countries and polluting our environment. Public pressure can also have a critical role to play in the struggle to hold corporations accountable. Most of all, socialists look to unions make private business more accountable.

Q: Won't socialism be impractical because people will lose their incentive to work?

We don't agree with the capitalist assumption that starvation or greed are the only reasons people work. People enjoy their work if it is meaningful and enhances their lives. They work out of a sense of responsibility to their community and society. Although a long-term goal of socialism is to eliminate all but the most enjoyable kinds of labor, we recognize that unappealing jobs will long remain. These tasks would be spread among as many people as possible rather than distributed on the basis of class, race, ethnicity, or gender, as they are under capitalism. And this undesirable work should be among the best, not the least, rewarded work within the economy. For now, the burden should be placed on the employer to make work desirable by raising wages, offering benefits and improving the work environment. In short, we believe that a combination of social, economic, and moral incentives will motivate people to work.

Q: Why are there no models of democratic socialism?

Although no country has fully instituted democratic socialism, the socialist parties and labor movements of other countries have won many victories for their people. We can learn from the comprehensive welfare state maintained by the Swedes, from Canada's national health care system, France's nationwide childcare program, and Nicaragua's literacy programs. Lastly, we can learn from efforts initiated right here in the US, such as the community health centers created by the government in the 1960s. They provided high quality family care, with community involvement in decision-making.

Q: But hasn't the European Social Democratic experiment failed?

For over half a century, a number of nations in Western Europe and Scandinavia have enjoyed both tremendous prosperity and relative economic equality thanks to the policies pursued by social democratic parties. These nations used their relative wealth to insure a high standard of living for their citizens—high wages, health care and subsidized education. Most importantly, social democratic parties supported strong labor movements that became central players in economic decision-making. But with the globalization of capitalism, the old social democratic model becomes ever harder to maintain. Stiff competition from low-wage labor markets in developing countries and the constant fear that industry will move to avoid taxes and strong labor regulations has diminished (but not eliminated) the ability of nations to launch ambitious economic reform on their own. Social democratic reform must now happen at the international level. Multinational corporations must be brought under democratic controls, and workers' organizing efforts must reach across borders.

Now, more than ever, socialism is an international movement. As socialists have always known, the welfare of working people in Finland or California depends largely on standards in Italy or Indonesia. As a result, we must work towards reforms that can withstand the power of multinationals and global banks, and we must fight for a world order that is not controlled by bankers and bosses.

Q: Aren't you a party that's in competition with the Democratic Party for votes and support?

No, we are not a separate party. Like our friends and allies in the feminist, labor, civil rights, religious, and community organizing movements, many of us have been active in the Democratic Party. We work with those movements to strengthen the party's left wing, represented by the Congressional Progressive Caucus.

The process and structure of American elections seriously hurts third party efforts. Winner-take-all elections instead of proportional representation, rigorous party qualification requirements that vary from state to state, a presidential instead of a parliamentary system, and the two-party monopoly on political power have doomed third party efforts. We hope that at some point in the future, in coalition with our allies, an alternative national party will be viable. For now, we will continue to support progressives who have a real chance at winning elections, which usually means left-wing Democrats.

Q: If I am going to devote time to politics, why shouldn't I focus on something more immediate?

Although capitalism will be with us for a long time, reforms we win now—raising the minimum wage, securing a national health plan, and demanding passage of right-to-strike legislation—can bring us closer to socialism. Many democratic socialists actively work in the single-issue organizations that advocate for those reforms. We are visible in the reproductive freedom movement, the fight for student aid, gay, lesbian, bisexual and transgendered organizations, anti-racist groups, and the labor movement.

It is precisely our socialist vision that informs and inspires our day-to-day activism for social justice. As socialists we bring a sense of the interdependence of all struggles for justice. No single-issue organization can truly challenge the capitalist system or adequately secure its particular demands. In fact, unless we are all collectively working to win a world without oppression, each fight for reforms will be disconnected, maybe even self-defeating.

Q: What can young people do to move the US towards socialism?

Since the Civil Rights movement of the 1950s, young people have played a critical role in American politics. They have been a tremendous force for both political and cultural change in this country: in limiting the US's options in the war in Vietnam, in forcing corporations to divest from the racist South African regime, in reforming universities, and in bringing issues of sexual orientation and gender discrimination to public attention. Though none of these struggles were fought by young people alone, they all featured youth as leaders in multi-generational progressive coalitions. Young people are needed in today's struggles as well: for universal health care and stronger unions, against welfare cuts and predatory multinational corporations.

Schools, colleges and universities are important to American political culture. They are the places where ideas are formulated and policy discussed and developed. Being an active part of that discussion is a critical job for young socialists. We have to work hard to change people's misconceptions about socialism, to broaden political debate, and to overcome many students' lack of interest in engaging in political action. Off-campus, too, in our daily cultural lives, young people can be turning the tide against racism, sexism and homophobia, as well as the conservative myth of the virtue of ''free'' markets.

Q: If so many people misunderstand socialism, why continue to use the word?

First, we call ourselves socialists because we are proud of what we are. Second, no matter what we call ourselves, conservatives will use it against us. Anti-socialism has been repeatedly used to attack reforms that shift power to working class people and away from corporate capital. In 1993, national health insurance was attacked as ''socialized medicine'' and defeated. Liberals are routinely denounced as socialists in order to discredit reform. Until we face, and beat, the stigma attached to the ''S word,'' politics in America will continue to be stifled and our options limited. We also call ourselves socialists because we are proud of the traditions upon which we are based, of the heritage of the Socialist Party of Eugene Debs and Norman Thomas, and of other struggles for change that have made America more democratic and just. Finally, we call ourselves socialists to remind everyone that we have a vision of a better world.

It really doesn't take a very heavy read to figure out what's going on. These are the Socialists. They say, ''We believe that social and economic decisions should be made by those whom they most affect.'' Huh. Sounds

like a little bit of what's been going on with the major corporations in America. Sounds a little like what's happened to the auto industry. It looks like they've been taken over and nationalized by the White House and handed over to the unions for control. That would fit. ''We believe that social and economic decisions should be made by those whom they most affect.''

Here's another one: ''We believe that the workers and consumers who are affected by economic institutions should own and control them.'' Exactly what's happening to the automakers today, as they pulled the plug on a good number of Chrysler auto dealers, as they threatened to pull the plug on an even greater number of General Motors auto dealers, and as the stock shares get handed over to the unions at the expense of the investors who were owners of the hard collateral of the business of Chrysler Motors, and now it looks like General Motors as well, all right off the Web page of the socialists. ''We believe that the workers and consumers that are affected by economic institutions should own and control them.

''Social ownership could take many forms, such as worker-owned cooperatives or publicly owned enterprises managed by workers and consumer representatives''; not managed for profit, not managed for efficiency, but nationalized businesses run and managed by workers and consumer representatives.

I started a construction company in 1975. I borrowed money, invested a lot of capital, and the business is going on. It's a second-generation construction company. My older son owns it today. There were a good number of places along the way that it would have been easy to give up and just drop out of business, but I had to make it work. I was determined to make it work. And if I had handed over the management of the company to the employees at any one of those critical points, there's no way that King Construction would have survived.

This is quoting from the sheet again. ''While the large concentrations of capital in industries such as energy and steel may necessitate some form of state ownership''—they're talking again about nationalizing—''many consumer-goods industries might be best run as cooperatives.''

So they want to nationalize large businesses where there's concentrations of capital—energy, steel, a couple of examples. Automakers fall right in that. And on here it says, Well, we're not Communists. Here's the difference. Communists are harder lined than we are, and there's a few other distinctions. I'll ask you to read that, Madam Speaker, thoroughly. I think everybody in this Congress should know what the difference is between a Communist and a Socialist. I don't like either one.

□ 1815

I don't like either one. I like free markets. I like freedom. I like free enterprise. I like capitalism, and I like individual rights that come from God. Those are the pillars of American exceptionalism, not socialism, not Marxism, not communism.

Here is another pretty frequently asked question. Private corporations seem to be a permanent fixture in the U.S., so why work towards socialism? Here is the socialist answer: In the short term, we can't eliminate private corporations.

Now I think, Madam Speaker, that you've been convinced that the Democratic socialists of America want to nationalize the major corporations, and they want to run this free enterprise economy not as a free enterprise economy but as a collectivist state, operating businesses for the benefit of the workers and the customers without regard to profit or the investors. That is clear here.

Also what's clear in this document, which I will submit for the RECORD, is that the socialists are no longer hosting the Web site of the Progressive Caucus. Because in 1999 the issue was raised and the heat got a little too high so the socialists that were managing the Web site of the Progressive Caucus, they decided, and the progressives decided they'd run their own Web site.

So when you see Progressive Caucus come up on a blue board here on the floor, they're saying, go to our Web site, see what all we've got. Look at all the credit we're taking for the things we didn't do. And, by the way, they don't actually announce that they are the legislative arm of the socialists, which you will find in this document that I will introduce into the RECORD this evening, Madam Speaker.

They say here in this document off the Web site, the socialist Web site, that they are not a political party that nominates candidates under their banner. But their legislative arm is the Progressive Caucus, an absolute undeniable link right here on the Web site, socialists tied to progressives. That's what they are, Madam Speaker.

So I get a little disturbed when this Congress and the rest of the Nation tries to mess with the definitions that Noah Webster wrote into our dictionary and our understanding of the English language.

We know what socialism is. If you want to find out what communism is, the socialists define it. If you want find out what a progressive is, the socialists say progressives are them, their arm. And there is a list when you go on the Web site of 72 registered progressives in this Congress that are linked to the socialists directly as their legislative arm. They are the ones advocating for the nationalization of our energy industry, for the oil refinery industry, for the nationalization of our automakers, for example, and all the way up the line. Our financial institutions, large insurance companies, the nationalization that has taken place from President Obama with the full support of the Progressive Caucus and most of the Democrats in this Congress and in the House and in the Senate, Madam Speaker.

I don't think that we can hold the rose-colored glasses along any longer. We have got to understand that our freedoms are being taken from us, and it's happening right in front of our very eyes, under our very nose. And the American people don't understand it yet.

When they go to the Web site and they read through this document, What is Democratic Socialism? on the Web site of dsausa.org, and look to the connection of Progressive Caucus.

And then, by the way, go to the Progressive Caucus Web site. They put it up here. Just Google Progressive Caucus and up will come the Web site that takes the credit for a lot of these things that they didn't have anything to do with, they didn't have any existence then during that period of time. But also they won't take credit for the things that they advocate for that are the mirror image of what comes off the socialist Web site here. One and the same, Madam Speaker. And the American people need to know it, and they know it now.

So that's a little bit of what I didn't come here to talk about, Madam Speaker. But what I did come here to talk about is the nomination of one Dawn Johnsen to the Office of Legal Counsel. Dawn Johnsen is the President's nominee. And the Office of Legal Counsel, for the sake of those who are not all wrapped up in government, is the most important nomination that you've never heard of.

The Office of Legal Counsel is kind of a mini Supreme Court. They issue carefully worded opinions, and they're regarded as binding precedent, and they have the final say on what the President and all his agencies can and cannot legally do, Madam Speaker.

So this is the person that has the opportunity to whisper into the ear of the President on a daily basis, on a regular basis and make recommendations such as, Mr. President, you do or you don't have the authority to issue an executive order to close Guantanamo Bay. That would be one of those whispers into the ear of the President. It might well be a written document that would be formally handed to him as well. I use that as, I'll say, an image, not so much a technicality.

Dawn Johnsen is the person who has offended, I think, a greater number of Americans than any other nominee, even those that didn't pay their taxes. There is a long list of things that Dawn Johnsen has said and done. But I believe at this time it would be useful if I could have the opportunity to yield to the very vigorous and energetic gentlelady from Ohio (Mrs. SCHMIDT) for however much time as she may consume.

Mrs. SCHMIDT. Thank you so much, Congressman KING.

You are so right about this very contentious nomination. This position has

been called the Attorney General's lawyer. The Justice Department's Web site explains, ''The Assistant Attorney General in charge of the Office of Legal Counsel provides authoritative legal advice to the President and to all executive branch agencies. The Office drafts legal opinions of the Attorney General and also provides its own written opinions and oral advice in response to requests from the Counsel to the President, the various agencies of the executive branch, and offices within the Department. Such requests typically deal with legal issues of particular complexity and importance or about which two or more agencies are in disagreement. The Office also is responsible for providing legal advice to the executive branch on all constitutional questions and reviewing pending legislation for constitutionality.

All executive orders and proclamations proposed to be issued by the President are reviewed by the Office of Legal Counsel for form and legality, as are various other matters that require the President's formal approval.

In addition to serving as, in effect, outside counsel for the other agencies of the Executive Branch, the Office of Legal Counsel also functions as general counsel for the Department itself.''

Congressman KING, you are absolutely right that this individual will have the ear of the President because this position provides authoritative legal advice to the President and all executive branch agencies.

The AAG for the OLC is quite influential when evaluating existing laws and determining legal implications of legislative and administrative proposals. It is not a position for which an ideologue would be well suited.

I really want to go to that end because this, of all the nominations that have come to our attention so far, has really disturbed me the most. And it's disturbed me because, as most people know, one of the things and the heartstrings that I have is my position on life.

I believe that we cannot question when life begins or when it should end. We have to understand that life has value from conception to natural death. Only if we want to wage war against poverty, only when we want to make sure that each and every person in the world has the opportunity to be the best person that they can be, only when we give people the freedom to be what they want to be can this happen if we understand that that freedom begins at conception and that freedom must continue through its natural conclusion.

But this individual holds a much different view on those positions. So I really want to talk for just a few moments about what I call, Life According to Dawn Johnsen. I want to talk about some things that have been said by this individual.

''Pregnancy is equivalent to slavery.'' ''Statutes that curtail her abortion choice are disturbingly suggestive of involuntary servitude, prohibited by the 13th Amendment, in that forced pregnancy requires a woman to provide continuous physical service to the fetus in order to further the state's asserted interest,'' Dawn Johnsen, Supreme Court amicus brief that she authored in Webster v. Reproductive Health Services. I have to be silent for a minute so you can digest the coldness of that statement.

''Protecting life makes women into no more than fetal containers,'' is another one of her beliefs. ''The woman is constantly aware for 9 months that her body is not wholly her own. The state has conscripted her body for its own ends, thus abortion restrictions reduce pregnant women to no more than fetal containers,'' Dawn Johnsen, Supreme Court amicus brief that she authored in Webster v. Reproductive Health Services.

I don't even know how to respond to that. As a mother, yeah, as soon as I felt life, I understood that I had a partner I was going to carry for the next 9 months. That experience only enabled me to begin the love that I have for my daughter and now that I see for her wonderful son. Yeah, pregnancy changes us because it gives us life.

''Abortion brings relief,'' is another one of her statements. ''The experience is no longer traumatic; the response of most women to the experience is relief,'' Dawn Johnsen, Supreme Court amicus brief that she authored in Webster v. Reproductive Health Services. I've talked to women who have had abortions, and they have a much different view.

''Those that become pregnant are losers.'' This one really stings me. She says, ''The argument that women who become pregnant have in some sense consented to the pregnancy belies reality.'' '' . . . and others who are the inevitable losers in the contraceptive lottery no more 'consent' to pregnancy than pedestrians 'consent' to being struck by drunk drivers,'' Dawn Johnsen, Supreme Court amicus brief that she authored in Webster v. Reproductive Health Services.

I don't see women who are pregnant as losers. I see their winning capabilities of having that life inside of them, being a life that will carry on and continue for generations to come.

Another one: ''There is no need to reduce the number of abortions.'' ''Progressives must not portray all abortions as tragedies,''

''Senator Hillary Clinton in a 2005 speech commendable for setting forth a pro-choice, pro-prevention, pro-family agenda, took the aspiration a step in the wrong direction when she called for policy changes so that abortion does not have to ever be exercised or only in very rare circumstances,'' Dawn Johnsen in the Constitution in 2020.

These are her statements. I'm not making these up, Congressman. These are her statements, Madam Speaker.

''Pro-life supporters are comparable to the Ku Klux Klan,'' that's another one of her statements. And she says, ''The terrorist behavior of petitioners is remarkably similar to the conspiracy of violence and intimidation carried out by the Ku Klux Klan,'' Dawn Johnsen, Supreme Court amicus brief that she authored in Bray v. Alexandria Women's Health Clinic.

I can't believe that she would say these things. But again, these are her words, not mine.

Some of her positions and comments, questionable legal arguments, including the assertion that abortion bans might have undermine the 13th Amendment, which banned slavery.

This is a woman who was so entrenched with NARAL and the ACLU's Reproductive Freedom Project, she's compared pregnancy to involuntary servitude, described pregnant women as losers in the contraceptive lottery, and criticized Senator Clinton for then claiming to keep abortions, traumatic experiences, rare.

□ 1830

This is a woman who doesn't have the same view of life that most Americans have. Yes, this is a sensitive issue. But most Americans understand that life is sacred and must be protected. And I believe that most Americans want someone who is the legal counsel of the President to not have such polarizing views. I believe that they want someone that will step back and evaluate decisions based on their constitutionality and their legality and not put forth their own agenda.

This is a person who at every step along her way has put forth her own very proabortion agenda in each and everything that she has done. This is not the right person for this job. And I would only hope that this administration changes its position.

Mr. KING of Iowa. Reclaiming my time, and I thank the gentlelady for coming to the floor and standing up for life and making this announcement on statement after statement, quote after quote, that has come from Dawn Johnsen, the former legal counsel for NARAL, the National Abortion Rights Action League, the one who has inflamed the profamily, prolife, pro-Constitution pro-individual rights of people in this country by making a whole series of outrageous statements. And many of them were mentioned by the gentlelady from Ohio.

I put this one up on abortion protesters, this is the KKK piece, that ''the 'terrorist' behavior of petitioners is remarkably similar to the conspiracy of violence and intimidation carried out by the Ku Klux Klan against which Congress intended this statute to protect.''

People that are outside of the abortion clinics praying for the innocent human life that is being exterminated inside are being described as KKK-type of intimidators. This is the person that we would have whispering into the ear of the President, the Office of Legal Counsel, issuing opinions and decisions

that are de facto judgments on our Constitution and the legality. And that is one example. The gentlelady gave a number of other examples. And I would yield to the gentlelady from Ohio.

Mrs. SCHMIDT. I just want to say, sir, that I am someone who has, throughout my adult life, stood in front of an abortion clinic in the city of Cincinnati. We stand in silence. We stand in prayer. We do not say anything to people as they walk by. We just pray that they have a change of heart and that they understand that all life is precious, including the one they may be carrying inside of their body. I have been doing this since I was in college. And I have yet to see any behavior that would even look like a terrorist's behavior. So for her to say that, I think, is totally out of character.

Mr. KING of Iowa. Reclaiming my time from the gentlelady who has been a champion for life for a long time, here is another piece that we have heard about, Dawn Johnsen on abortion, legal but not rare. This is where she even goes in conflict with such known liberals as Hillary Clinton, for example, where Dawn Johnsen said, ''The notion of legal restrictions as some kind of reasonable 'compromise,' perhaps to help make abortion 'safe, legal and rare,' thus proves nonsensical.'' That is her statement of January 25, 2006, not that long ago.

And here our Progressives show up again, as I spoke about earlier, Madam Speaker, ''Progressives must not portray all abortions tragedies. Absent unforeseen technological and medical changes, abortion is unlikely to become truly rare and certainly not nonexistent.''

This lady isn't happy about abortion becoming rare. She has chastised even Hillary Clinton about asking for abortion to be safe, legal and rare. This gives you an example of what Progressives are, also, Madam Speaker. Progressives fit this bill. Can you imagine a Progressive who was antislavery who believed in the value, the intrinsic value of human life, to the extent of laying down their life for their brethren who have lived in bondage, would people like that be advocating for more abortions and calling those who pray outside of abortion clinics equivalent to the KKK? I think we know what a Progressive is today. I don't think there were any Progressives that existed by any defined label that took place around the Revolutionary War time, Madam Speaker.

But Dawn Johnsen does fit. She is a Progressive. I will give her that. And her name should be withdrawn by the President of the United States.

In fact, the gentlelady from Ohio and I are on a letter together. We and 60 other Members of Congress issued a letter to President Obama dated March 24, 2009. It calls upon President Obama to withdraw the nomination of Dawn Johnsen as Office of Legal Counsel. And part of the language here in the second page of the letter to the President signed by 62 of us from the House says: ''Senator Hillary Clinton, in a 2005 speech commendable for setting forth a pro-choice, pro-prevention, pro-family agenda, took the aspiration a step in the wrong direction.'' This is Dawn Johnsen talking about Hillary Clinton. She said Hillary Clinton ''took the aspiration to rare abortions a step in the wrong direction when she called for policy changes so that abortion 'does not ever have to be exercised or only in very rare circumstances.' '' That is a quote of Hillary Clinton.

Dawn Johnsen even calls Hillary Clinton out as not progressive enough, not being enough pro-abortion that she would think that abortions should be rare. That is an affront to Dawn Johnsen's values. And Dawn Johnsen would be in a position to whisper into the ear of the President on what is legal and what isn't, what is constitutional and what isn't. But not only that, she is not just flipping a toggle switch that is a legal opinion, Madam Speaker. She is shaping legal policy and making recommendations to the President that are policy changes.

Now imagine if she wasn't there. And she is formally not there because her nomination is held up by the Senate. It is held up by the Senate because they know many of the things that Mrs. SCHMIDT and I have talked about here tonight and we have talked about for some months now since her nomination emerged. But the Guantanamo Bay issue fits perfectly with the type of thing that I would bring to bear where an Office of Legal Counsel would be there with access to the President continually, generating an activist left-wing, yes, call it a Progressive agenda, because that is not going to be a very good word when we finish describing what it is, coming up with ideas like, Mr. President, you need to issue an executive order to close Guantanamo Bay and turn these prisoners loose.

Well, Madam Speaker, I didn't make that up. I'm not being flippant. I'm simply quoting Dawn Johnsen. It says here on a list of quotes from Dawn Johnsen with regard to Guantanamo Bay under Gitmo that Dawn Johnsen posits two alternatives to deal with the Gitmo detainees, the enemy combatants, the terrorists, the vile al Qaeda terrorists, the worst of the worst that are down there, 241 of them, according to the testimony before the Judiciary Committee today by Attorney General Holder.

She says we only have two choices with the Gitmo detainees: either release them or transfer them to facilities in the United States and consideration of civilian criminal prosecution in the Federal courts. An outrageous idea that seems to be under consideration by this White House at this time.

And I have been down to Gitmo maybe a little over a month ago. They are living pretty good down there, Madam Speaker. No nation has ever treated prisoners of a conflict as well. I didn't say any better. I said no nation has treated them as well as we have treated these enemies at Guantanamo Bay who have a vile oath to kill Americans. And they believe it is their path to salvation. They are attacking American guards an average of 20 times a day. Half the time they are throwing feces and trying to rub it into the face of our guards. That is their own feces. The other half of the time they are physically assaulting them and trying to hurt them with whatever they might have for cuffs and shackles. They are living in climate control. They set the thermostat in the air conditioned Caribbean island vacation resort. Their limitations are they have to live within the fences that keep them from getting away. But even when they are in there, they get a little soccer field. They can go out and play soccer. They have got foosball tables. They get to choose from nine items on the menu every day and they set the thermostat between 75 and 80 degrees because they say that is their cultural temperature. So we would give them air conditioning and give them their cultural temperature while our troops are sometimes out in the sun. They stop for prayer five times a day, 100 minutes a day. Our troops stop and respectfully wait. That is all right with me. Everybody gets a Koran. No one can have a Bible. Of the 800-and-some who were there altogether, there was one who requested a Bible. And it created such belligerence and violence among other detainees that they said, no, you can't have a Bible. They have since released the individual that wanted a Bible. Everybody else gets a Koran, one that is untouched by one of these infidel guards that are getting feces thrown in their face on a regular basis, Madam Speaker.

This is the kind of idea that comes from Dawn Johnsen. Let's turn these people loose or bring them to the United States. She argues that she should have habeas corpus rights. That is a radical Federal Court decision by the way. And it is radical. The Founding Fathers would have never approved such a thing. That is why they wrote the provisions in the Constitution of habeas corpus. She writes that it was there so that when we fight people around the world we can round them up and bring them back on a slow ship with a sail. They didn't have motors on their boats back then, let alone airplanes. Bring before an American court. Give them rights of habeas corpus. If they get turned loose on a technicality, turn them loose into the streets of America. I asked the Attorney General today, Can you assure us that you will not turn these Gitmo detainees loose into the United States? He could not assure of us of that.

Now, I can tell you if I were the Attorney General, I would be able to find out a way. I could tell you under these conditions this is what we are trying to do. I will assure you I would do everything I can. I would at least like not to have these detainees board domestic

American airliners and fly with my children or grandchildren. I would think that maybe we could put them on the no-fly list like TEDDY KENNEDY was. For some reason, we can't even do that.

And as a temporary diversion to this diatribe, I would be happy to yield to the gentleman from Indiana, who might be able to flesh that story out just a little bit, such time as he may consume.

Mr. SOUDER. I thank my colleague from Iowa for taking the lead tonight and my colleague and friend from Ohio as well. Both have been long-time pro-life leaders. And my colleague from Iowa and I have fought on numerous fronts in the various battles here.

Today before I speak on the abortion question which is one thing I want to raise here, of course, but today in the homeland security markup on Transportation Security Administration, I offered an amendment that anybody released in the United States from Gitmo would go on the no-fly list. We thought that the debate was going to be, should this be a recorded vote and the Democrats would propose not having a recorded vote. But it caused such panic that they had long meetings and basically came up with a gutting amendment and knocked the amendment out by stating that only after all the processes with the President were completed, but that didn't even put them on a no-fly list. Now here is the fundamental question that this isn't putting people in prison and detaining them. This is a question of should they be on the no-fly list.

If you were in Gitmo—and understand that I don't favor closing Gitmo. I imagine neither of my colleagues here favored closing Gitmo. Just because you made a stupid campaign statement doesn't mean you have to have a stupid policy once you get in and see the truth. And there has been a number of people who have changed their opinion about that. But we have already released a number of these people. At best, the results have been mixed. Some have gotten already back involved in al Qaeda. And just because it has been hard to come up with the evidence, say, because people get beheaded, because of the type of retribution that occurs, the fearfulness of stating upfront and going through even a military court where it is private, worried that it is going to get out, it was difficult to make some of the cases. It has been very mixed, the ones they did release. So the ones that are there have at least some doubt because they are already not released. Now we transfer them to the United States. The question is what is going to happen? Are they going to await trial? Are they going to be detained? How are they going to sort this through? We don't have a plan. Secretary Napolitano said at our hearing the day before, looking at our budget, clearly homeland security was going to have to keep track of them. If they are going to keep track of them, why in the world wouldn't they be on a no-fly list? If they are too dangerous to be released in the country without homeland security tracking them, why do we want them on an airplane next to us? I just see no logic to this, that we put American citizens on the no-fly list because maybe they have a cousin, they have done some phone calls, we have questions and we are concerned about it.

These people are the people they have held in Gitmo, not the ones they have released, a couple hundred already down there. These are the people who are higher risk at the very least.

Now, the Chinese Uyghurs who were part of al Qaeda-affiliated groups, China won't take them back. They already announced they will release them in Northern Virginia. They can get on airplanes at Reagan Airport.

What kind of a philosophy is this that, oh, we are going to see final resolution of this, we are going to work this through? This is absurd. The last thing we need is a legal counsel over there telling him, oh, wow, these people should have public trials. We have been through this in the Department of Homeland Security. When the New York Times released the classified report, none of us actually know precisely what was in it that caused this reaction. But what we know is terrorists were taking down around the world, networks were broken up in process before they could do that because we heard them get up on their phones because was it a bank account that they didn't know that we knew they were doing it? Was it a phone line they didn't know that was tapped? When you get things in public, you expose your ability to track. And they go other routes. The idea of public trials would be catastrophic to the safety of this country.

Now, the idea that they aren't even going to be on a no-fly list is just incredible. And anybody, in my opinion, who blocks that, and if it isn't in the bill next week, the people who kept it out of the bill should be held responsible if something happens. It isn't like you can't figure out who to blame here. We had an amendment that would have said they are automatically on the no-fly list, if they get on the plane now, without even being more than routinely checked, it would be incredible.

□ 1845

Now I would like to talk briefly about Dawn Johnsen. She's a fellow Hoosier. I do not know her, but she and her husband are well known in Indianapolis. She teaches at the Indiana Law School. There is incredible pressure on our two United States Senators on the vote, and we need their votes against her.

It isn't whether or not she's smart. It's not whether or not they're good people, good neighbors, good people to go to church with. This is about policy and critical policy. This is about basically a person with radical views on abortion being put in a position to give that advice. And we need our two Senators to understand that. We need the American people to understand that. And really we need this President to understand this.

Another thing happened just a few miles outside my district. I represent most of Elkhart County. CARSON and DONNELLY represent about a third; I have two-thirds. And I come up around within about 5 or 7 miles of the University of Notre Dame, and about a third of my district is in South Bend. So there's been a little bit of ruckus about the President's speaking at Notre Dame. He's the eighth President in a row to speak at Notre Dame. It's not so much the controversy of speaking but whether he should get an honorary doctorate since his positions seem to be at odds with the fundamental teachings of the Catholic Church and the Pope.

Now, the administration claims that they aren't as hostile to the pro-life cause as we say. He said at the press conference in an astounding statement that, Oh, I wouldn't be for embryonic stem cell research if there was another alternative. And you wonder is this a kind of cuteness or does he really not know that there are other alternatives that work and embryonic stem cell doesn't work, that embryonic stem cell has been going on for 10 years without even a pig being able to live let alone a human, whereas other forms of stem cells, in fact, have cured people of diseases.

Maybe, however, when you think about it, President Obama was raised in Hawaii and Indonesia and elsewhere. Then he went to Harvard. He worked as a community organizer, lived in an upscale neighborhood of Illinois in Chicago. I'm not sure whether he's really heard a lot of the debate. And to be fair, maybe we need to educate him in a non-yelling way. Some of the problems we are having in South Bend right now, some of the controversy there, we need to win the middle. We lost the last election. If we're going to win the pro-life debate and save children in America, we need to make sure we can try to persuade the middle. And in this, President Obama, if he wants to claim that he really wants to reduce abortion, he needs to show that with his actions, not just say that I favor that. He needs to support methods on adoption. He needs to encourage the Women's Care Centers and Hope Centers. My wife, Diane, volunteers at a Hope Center.

You've been reading some of these statements, but to appoint somebody as Deputy Legal Counsel who says that pregnancy is like slavery, that protecting life makes women no more than fetal containers, that abortion brings relief, that those who become pregnant are losers, that there's no need to reduce the number of abortions, and comparing pro-life supporters to the Ku Klux Klan, among other things that you've been highlighting in these quotes, you're not

neutral trying to reduce abortion. If you appoint a person in a key legal position that interprets policy, you do not have credibility then to go to the University of Notre Dame next Sunday, to go around at a press conference to tell us we're working for a middle ground. There's no middle ground there. That is the radical position of NARAL being put in a position to make legal policy for the United States of America. You have to not talk out of one side of your mouth and do the other.

What we need the President to do is withdraw this nomination.

Mr. KING of Iowa. Reclaiming my time, I appreciate the gentleman's coming to the floor and laying out this picture in this fashion, as much as I do the gentlewoman from Ohio doing the same.

As I listened to this, Dawn Johnsen's confirmation of her nomination is in trouble. HARRY REID announced that Tuesday of this week, that he had planned to bring it up for a vote. He was short a couple Democrat votes, and I think more than that.

So we need to ask, I think, Madam Speaker, that everybody weigh in on this from a conscience standpoint and understand that these statements made by Dawn Johnsen are just that, an advocacy for the National Abortion Rights Action League, which she was the chief legal counsel for them. She argued a number of cases before the court. The record is replete. It does not vary. It's consistent. It's liberal. It's activist. It is a danger to life. It's a danger to every unborn child. And she is a danger to fathers.

This is a quote from Dawn Johnsen: ''Our position is that there is no father and no child, just a fetus, and any move by the courts to force a woman to have a child amounts to involuntary servitude.''

But put into that context. Dangerous for babies, unborn babies, dangerous for mothers, who are disrespected. My mother a fetal container? That offends me. It should offend America. We're all children of mothers. They're not fetal containers; they're our mothers. They brought us into this world. They loved us. They nurtured us. There's no substitute for a mother, and I will never get to be one, and I'm a little jealous.

I yield to the gentlewoman.

Mrs. SCHMIDT. Well, I'm not a fetal container; I'm a mother. And I was very glad to have my wonderful daughter. Just 7 months ago, she had a beautiful little boy, and I think she would be appalled at being called a ''fetal container.'' She was thrilled on Sunday to be called a mother, just as I was thrilled to be called a mother and a grandmother.

But more importantly, when we put people into positions of authority, while we respect that they may have a divergence of views than we might have, we certainly want people in authority that are willing to listen to all viewpoints before rendering a decision. But when you time and again, like Dawn Johnsen, have made statement after statement after statement with inflammatory rhetoric surrounding those statements, as she appears to have done for a better part of her adult life, especially on abortion but on other issues as well, I don't think the American public is going to be comfortable with a person of her position of authority whispering in the President's ear or in bureaucrats' ears her opinion on matters not just on abortion, not just on Guantanamo, but on other issues as well.

I think we want someone that's even-tempered, someone that's willing to look at all viewpoints, someone that's willing to see all sides and render the decision that they believe is the most appropriate for America. I don't think she has the capability of doing that when I read the kinds of statements that she has made.

Mr. KING of Iowa. Reclaiming my time, I thank the gentlewoman.

I'd add a piece that I want to reiterate here. Madam Speaker, if America is not moved enough at this pro-abortion activism and this legal distortion that has taken place as a matter of the professional actions and the public record of Dawn Johnsen, the President's nominee to head up the Office of Legal Counsel, they should be concerned about our national security. A national security that would say turn the Gitmo detainees loose or bring them here to the United States, put them under U.S. courts, and then, by the way, turn them loose and nurture them with our tax dollars so they can get on their feet again. All of that being part of this concept. But also Dawn Johnsen's objecting to surveillance of al Qaeda communications when it was a phone call that took place from a foreign country like, let's say, Afghanistan and ended up in Pakistan. If Osama bin Laden was calling Khalid Sheik Mohammed and if that nexus came back to the United States for the link but no one set foot in the United States, she would object to their not getting a warrant to listen in on that traffic on a telephone signal that would originate in Afghanistan and terminate in Pakistan.

Here is what she said. She attributed that type of surveillance to ''an extreme and implausible Commander in Chief theory.''

Now, this is an implausible and extreme theory, Madam Speaker, but the Commander in Chief is not a theory. It's constitutional. It's strictly defined in the Constitution. The Commander in Chief of our Armed Forces is the President of the United States. And the President of the United States has nominated Dawn Johnsen, who is a radical extremist. And her nomination is in trouble, and 62 of us wrote a letter and said please pull the nomination.

The President, if I were standing before him, I would make such a plea, and I would entreat the President of the United States that the juice is not worth the squeeze. There are plenty of activists that are traipsing through the White House these days. This is a lightning rod activist. Why don't you give us somebody that's not such a lightning rod, maybe somebody that's not going to be quite so radical. You're going to have to appoint somebody there to make these legal opinions, and I would like to have somebody that understands what's constitutional, at least recognize that the President of the United States is Commander in Chief, that constitutional position.

I yield to the gentleman from Indiana.

Mr. SOUDER. The naivete is incredible here in the intelligence area. I've worked in the narcotics area on the Intel Committee of Homeland Security. In case people haven't heard, the border is not completely sealed. Clearly we don't even want to put the Gitmo detainees on a no-fly list. If you don't have intelligence, I don't know how we stay safe.

I wanted to add another thing on the abortion issue. About 2 months ago, apparently we had Fetal Container Day. My daughter was going through Fetal Container Day as a mom, and 2 months ago our granddaughter, Reagan Rebekah, was born. My daughter, Brooke, and her husband, Jeff, who apparently, in Dawn Johnsen's mind, wasn't relevant, and I don't know when he became a father if he wasn't a father at the beginning. I don't know when Reagan Rebekah became a human being, because my daughter was having problems and they decided they had to bring Reagan out early, and it wouldn't have been that many years ago that she wouldn't have survived. She came out somewhat over 4 pounds, just under 5 pounds. She yelled just as loud as if she were heavier, but she came out very small. But she survived. She was able to go home. She had a high enough Apgar score. But at one point, and true of my wife too, but at one point my daughter was a fetal container, and Reagan Rebekah was a fetus. And then she came out a month early, where before she wouldn't even have been able to survive, and now she's a human being suddenly, and my daughter is a mom? It doesn't make any sense here.

We cannot have somebody with these radical views in this position of power. If she wants to continue at IU Law School, if she wants to continue with NARAL, fine. But we do not need her.

And, Mr. President, she needs to be withdrawn. We need to have a reasonable alternative that we can try to work with. We know we lost an election. But we do not need radicals in this position that would destroy human life, whether it be because of lack of intelligence in terrorism or in abortion.

I thank the gentleman for yielding.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman and the gentlewoman.

It sparks my memory, as I listened to the gentleman from Indiana speak. A

mother is not transformed from a fetal container into a mother by the birth. A mother is a mother at conception and from that point on. And we use that language consistently.

But another piece comes to mind when I think about the President of the United States and this subject matter, and that is that I look back on the Saddleback Church debate that took place there, very well handled by Reverend Rick Warren, who offered the prayer just a few feet behind me here on the west portico of the Capitol Building at the inauguration of the President of the United States. But there they sat with JOHN MCCAIN and President Obama, and he asked the question of then-Senator Obama, When does life begin?

Senator Obama's answer was, ''That's above my pay scale.'' When life begins—when his life began—is above his own pay scale.

Now, there is significant evidence that President Obama got a raise put in since August of last year because he decided right away in January that it was in his pay scale. He decided that he would rescind the Mexico City policy which prohibited our taxpayer dollars from funding abortions in foreign lands. By executive order, he wiped that out, that very conscience decision that was debated on the floor of this House over and over and over again and defended by the pro-life effort in this Congress and across the United States. And he also by executive order decided that he wants to fund with Federal tax dollars the ending of human life in the form of experimenting on embryos, little frozen embryos, little snowflake babies, some of whom I've held in my arms that were frozen for 9 years. Loving, giggling, laughing little children wiped out by executive order that now seems to have found its legs and decided life must not begin or it must not be sacred yet if it's in the early stages, when it can't scream for its own mercy. So the Mexico City policy wiped out, the embryonic stem cell prohibition of using Federal dollars to experiment on them has already been moved. And now we see the appointment of Dawn Johnsen. And we have a President that's going to be soon speaking in South Bend, Indiana, at Notre Dame University, directly in conflict with the teachings of the church. It is a hard thing for us Catholics to watch. It's a hard thing for the pro-life people in this country to watch.

□ 1900

But I have seen hundreds of thousands of Americans come to this city to stand up for innocent unborn human life. They will come to this city in greater numbers if Dawn Johnsen is confirmed, and I think the President will keep that in mind, and I pray that he will pull her nomination.

COMMEMORATING ASIAN PACIFIC AMERICAN HERITAGE MONTH

The SPEAKER pro tempore (Ms. KOSMAS). Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. HONDA) is recognized for 60 minutes as the designee of the majority leader.

Mr. HONDA. Madam Speaker, I would like to yield to Member SHEILA JACKSON-LEE. I believe she wanted to address the floor.

Ms. JACKSON-LEE of Texas. Let me thank the distinguished gentleman, and as I rise, let me add my appreciation for his leadership of the Asian Pacific caucus and join him in celebrating Asian Pacific history month.

This is a time in our Nation that we are able to celebrate the many diverse cultures that make up those who are of Asian ancestry in the United States of America. And so my hat is tipped to the leadership in this Congress, the distinguished gentleman from California, and the many Members who have been such leaders.

I pay a special tribute to the late Bob Matsui who, of course, was a dear friend and someone that we all cherished.

I will speak briefly about the recent supplemental and the crisis that we face in this Nation. This is more than a tough challenge, to be able to address the concerns and the need for moving forward by a new President and the questions that are raised as this war supplemental makes its way through.

I will be asking questions as relates to our final solution, or legislative vote, as to whether or not language goes into this supplemental that will direct the administration to have an exit strategy for Afghanistan. I believe it is important as this bill makes its way through the Senate and back to the House, through conference, that there is a more definitive mark or standards and procedures for downsizing the war in Iraq, moving out equipment and bringing our soldiers home.

We now face a different conflict in Afghanistan. It is one of insurgents, the rise of the Taliban. We face as well the rising conflict in Pakistan, although the civilian government has maintained, in their visits here to the United States, they are committed to democracy, and I do believe them. Many of us have visited with President Zardari and leaders of his government, and we frankly believe that there is an opportunity to promote continued democracy in Pakistan, a friend of the United States for many years.

Just a few minutes ago I was meeting with a Pakistani American who was leaving to go help the internally displaced persons who are, as a result of the Pakistani Government, trying to rid that area of the Taliban and other insurgents who want to do harm to peace-loving people.

We need to be assured that the nuclear materials that Pakistan has are secure. But this bill, I believe, had merits in that it did promote the developmental assistance, the foreign aid, to help Pakistan get on its feet.

The questions that I had, of course, were the monies used to surge up the war in Afghanistan. And so this will be a time to review how this bill will make its way back, and whether or not we can get an end time, and whether or not we can tell family when their young people will come home, and whether or not we can answer those families whose returning soldiers suffer from posttraumatic stress disorder, as evidenced by the five bodies who came back at the hands of another soldier.

War is horrible, and so I believe it is important, as we have given this vote to the President, that it be such that it is a vote that ends these wars and focuses on building nations and building democracies so that they can take care of their own war and hopefully be unconflicted, if you will.

I am grateful for the resources in this bill that will help military families, mothers and fathers and children, the salary that comes about through those soldiers who lost salaries that have been put in this bill; the disaster aid, although I would have wanted to have a match, a 100 percent match for Galveston that is still suffering from Hurricane Ike. I hope we will be able to work on this issue as we move forward.

Again, I want to thank the gentleman from California for yielding to me, because I wanted to ensure that the support that has been given by some of us is based upon finding a way to end these conflicts in Iraq and Afghanistan.

And in finality, I might say that what I hope to have happen is that we find a way to ensure the end of the tenet, the term, if you will, of Osama bin Laden and of the insurgents that are destroying countries. I would hope, also, that we would be able to work to expand resources for posttraumatic stress disorders, and I am continuing to work to procure such a center in the 18th Congressional District for the large number of active soldiers that are in the Houston and Harris County area, noted as one of the major areas where active soldiers are in place.

This is, of course, an important step. And as we fight for education health reform, I think what we first of all must do is resolve these conflicts so that resources can be used to build a better America.

Mr. HONDA, again, I salute you on this great month and great leaders. You can count me as a friend as we move forward on so many different issues as we improve the lives of all Americans.

Mr. HONDA. I thank the gentlewoman from Texas and always count on her support for the issues that we care about together.

Madam Speaker, I rise today to recognize the Asian American and Pacific Islander community and to commemorate the Asian Pacific American Heritage Month. As Chair of the Congressional Asian Pacific American Caucus,

what we call CAPAC, I feel privileged to be here tonight with my colleagues to speak of the Asian and Pacific Islander American history and accomplishments. Additionally, I will be highlighting those issues affecting our community and the priorities for CAPAC.

In celebrating the Asian Pacific American Heritage Month, I want to give thanks to the late Congressman Frank Horton from New York and my good friend, former Secretary Norman Mineta, along with Senators DANIEL INOUYE and Spark Masayuki Matsunaga of Hawaii.

It is because of their efforts that May is now designated as Asian Pacific American Heritage Month. The first 10 days of May coincide with two important anniversaries: one, the arrival of the first Japanese American immigrants on May 7, 1843, to the United States, and the completion of the transcontinental railroad on May 10, 1869.

In 1992, Congress passed Public Law No. 102–450, the law that officially designated May of each year as Asian Pacific American Heritage Month. Today the Asian Pacific Islander community is quickly expanding.

Currently, there are approximately 16.2 million APIs living in the United States. By the year 2050, there will be an estimated 43 million Asian Pacific Islanders, comprising 10 percent of the total U.S. population. My home State of California has the largest Asian population at 5 million. The States of New York and Texas followed at 1.4 million and close to 1 million, respectively.

The population is also growing in States beyond the usual hubs of New York and California. We are also seeing growth in other areas in our country such as Virginia, Nevada, Minnesota, Pennsylvania, and Florida.

I encourage my congressional colleagues to learn more about the Asian American Pacific Islander populations in their districts and become a member of CAPAC.

At this moment, Madam Speaker, I yield to my colleague from California, the gentlewoman, LAURA RICHARDSON.

Ms. RICHARDSON. Madam Speaker, it's with great pleasure that I come here today to stand with my colleague, Representative MIKE HONDA. Some people might ask what would make me come and stand in support.

In my district, very recently, this Congress, in addition, with the support of the President, we authorized the long-time held benefits of Filipino Americans who served in a war side by side with many of our soldiers protecting them, and that was a great day in my district.

As I was growing up and I went to college, I had an opportunity, when I was getting my master's, to travel to China and to go to Shanghai and Beijing and Hong Kong and to see the beauty of different cultures and to understand how people have come here now to the United States, not as a separation or a wall, but, rather, for us to work together and to see the things of how this country could grow. So that's why I am here today, Madam Speaker, and I have a few comments that I would like to share.

I rise today in support of Asian Pacific American Heritage Month. I proudly represent California's 37th Congressional District, one of the most diverse districts in the United States. Asians make up 11 percent of my district, and I am the 37th largest Asian population congressional district in this country. That means we are in the top 10 percent.

In fact, my district has the largest Cambodian population outside of Cambodia, only second to the population in Cambodia. And for the last 8 years, I have worked with the Cambodian community as we look at the challenges that we have and how we can better assure that folks understand the resources that we worked so hard to deliver to our communities that they know they are there to help them.

Because of this diversity, I am a proud member of CAPAC, which is the Congressional Asian Pacific American Caucus. I am a member of 30 other caucuses that also advocate to this very Congress. But, together, the three caucuses, the Hispanic Caucus, the Black Caucus, and the Asian Pacific Islander Caucus, were members who worked together advancing the goals of minorities and underserved communities. Although Members represent everyone, there's an inadequate delivery of resources to many of those that we represent.

This year, for Asian Pacific American Heritage Month, the theme is ''Lighting the Past, the Present, and the Future.''

The past is filled with rich contributions of cultural, economic, and technological value from the Asian community. One of the main reasons the month is used, this month of May, to honor the Asian community is, as Mr. HONDA mentioned, the transatlantic railroad that we saw that traveled thousands, hundreds of miles across the United States, that we would not have had, that we would not have progressed at the level and the speed that we did in this country, had we not had working people who wanted to come and to contribute.

The present demonstrates the great progress we have made as a country together. I have much hope for the future, though, even more so of Asian Americans in our country, but realize that we must all work together and work hard to achieve equality amongst everyone.

Dalip Singh Saund was the first Asian American elected to Congress in 1957. Less than a decade later, Patsy Mink, whom many of us think of fondly, became first Asian American woman elected to Congress; both overcame adversity and paved the way, not only for Asian American Members of Congress, but Members such as myself as well.

Today we have seven Members of Congress, and Mr. HONDA is leading the charge of this caucus today. And recently, we had an unprecedented number of three Asian Americans who were recently named to President Obama's cabinet: Energy Secretary, Steven Chu; Commerce Secretary, Gary Locke; and Veterans Affairs Secretary, Eric Shinseki.

One of the simplest ways for Asian Americans to ensure a brighter future that we can all participate in, because isn't that what this country is all about, is to fully participate in the 2010 census. Everyone in our Nation must be accounted for so that Members like Mr. HONDA and I, together, can garner the appropriate resources to those communities which they so richly deserve.

Minorities are historically undercounted, sometimes due to language, sometimes due to a concern of why someone is knocking at their door, and they don't know the process of what's happening every 10 years, and sometimes it's just understanding differences. In other countries, it's very common for many members of the family to live together.

□ 1915

And that may not necessarily be the tradition in all of our cities or all of our communities; but in some, it's very much the case.

Minorities historically have had these challenges. In California, we have the largest Asian population in the United States, which both Mr. HONDA and I serve. Currently, there are over 5 million Asians—and this number is growing rapidly.

Between 2006 and 2007, the population grew 106,000—that's 2.9 percent—which reflects the largest percentage growth of any group of individuals in this country.

In addition to participating in the census, health care is going to be one of the largest and most important issues that we will tackle on this floor this year. It is critical that within the broad scope of health care reform that there's focus on eliminating racial disparities of research and accessibility.

Last year, I introduced a piece of legislation, and I plan on reintroducing it again this year, and it's very similar in building upon the work of former Congresswoman Patsy Mink as she brought forward title IX legislation.

We all know what a tremendous effect title IX had on gender equality in sports and in programs. I was one who benefited from that. I was one of the first girls in my grade school who got to play with the boys on the playground, playing baseball and basketball. And it took legislation like Patsy Mink's to show that we could work side-by-side and that there should be an equality. Today, we face another tremendous challenge, and that inequality is health care.

Finally, I want to thank Congressman HONDA, the chair of CAPAC, which

I proudly serve with him, for organizing this time tonight to celebrate the accomplishments and the work that we still have yet to do. I'm looking forward to celebrating many more accomplishments this year, and beyond, and we're just beginning. I stand side-by-side as we take that trip together.

Mr. HONDA. I have a couple of comments to what you had shared with us. One is I'm very, very pleased that you have taken the initiative to join CAPAC, not only because you believe in it, but also there are folks in your district that need to be represented. Your knowledge and your understanding of the communities; that it has to be disaggregated to understand the different necessities and needs of each community rather than looking at one monolithic community, is greatly appreciated because, as you mention, about the census, it is about the census that drives us constitutionally to make sure that we count every person in this country. The fact that you express that there are different strategies of housing based upon family structures; that many times one family per household does not necessarily exist and that many families do live together to be with each other and give each other support, I wanted to thank you for that observation.

And one not very known fact about Patsy Mink. When she led the effort to pass the title IX legislation, that she did in fact open up quite a bit of avenues for women, but also I still remember the great tennis match between Billie Jean King and Bobby Riggs.

Ms. RICHARDSON. Billie Jean King is from my district, the Long Beach area.

Mr. HONDA. That was a great contest. I believe that Billie Jean King won, didn't she?

Ms. RICHARDSON. Yes, she did

Mr. HONDA. Despite his tactics. And so what we do here has great impact not only in this country but worldwide. So I really do appreciate the time and thought that you have put into this presentation and the the idea that Asian Americans have contributed to this country and in building this country, as you had mentioned, on the transcontinental railroad.

It's interesting to note that when you look at pictures of the golden spike being driven into the ground at Promontory Summit, there are no Asian faces there. I often wonder what happened. Were they given the day off or something like that?

I think it's very clear today that they were excused. And the kind of history that we see that is shared in our history books need to be brought up to date and be accurate.

This kind of forum, where we have a month dedicated to discussions about our contributions and our perspectives of how we see the communities in this country, is greatly appreciated. The fact that we have many people from different backgrounds in our caucus only expresses the understanding and the sensitivity and the consciousness that each individual Congressperson representing their district, even though a district may have 14 percent or 1 percent, the fact that it is stated publicly that you are representing those districts and those communities is greatly appreciated.

So, to my sister from California, I really appreciate your time spent with us.

Ms. RICHARDSON. From my brothers and sisters of the Cambodian community, Arkon. Chem re lear.

Mr. HONDA. Thank you. The Asian American Pacific Islander community is often misperceived as an overachieving monolithic group. However, our community is extremely diverse in our languages, ethnicities, income, educational attainment, language capabilities, special need and challenges.

Stereotypes about our communities make it difficult to understand the unique problems faced by individual communities and subgroups. Data that is disaggregated by ethnicity for our various communities is hard to come by, but critical to the understanding where we must direct Federal attention.

As a country, we need to better address the needs of the AAPI community when we discuss comprehensive immigration reform, health care, economic recovery, and education. We are also barely visible in corporate America, underrepresented in political and judicial offices throughout the country, and misportrayed in our mainstream media.

As our community expands, we must also continue to educate our fellow citizens about the uniqueness of our experiences. Despite the daunting challenges we face, this is a time of great optimism and hope for the communities.

This year, we are marking Asian Pacific Islander Heritage Month under the twin banners of National Service and Recovery. We are at a pivotal moment in our Nation's history where the national spirit is shifting to a new era of volunteerism, public service, and working for the common good.

The Asian Pacific Islander American communities are no stranger to these changes, and our communities have taken hold of a new civic spirit engendered by President Obama's new administration.

At this time, Madam Speaker, I'd like to yield such time as she may consume to our gentlelady from the Aloha State, Mazie Hirono.

Ms. HIRONO. I thank my colleague for yielding me such time as I might use.

Aloha. I rise today to join my fellow congressional Asian Pacific Islander American Caucus members in celebrating Asian Pacific Islander American Heritage Month. Of course, I'd like to thank Congressman HONDA for organizing this Special Order tonight and for his continuing leadership throughout the year and his service as the chair of CAPAC.

In 1978, a joint congressional resolution established Asian Pacific American Heritage Week. The first 10 days of May were chosen to coincide with two key anniversaries: The U.S. arrival of the first Japanese immigrant on May 7, 1843, and the completion of the transcontinental railroad on May 10, 1869. In 1992, Congress expanded the week to a full monthlong celebration of the Asian and Pacific Islander American community.

We certainly have added to the diversity and the cultural richness of our country. As a first generation immigrant myself, having come to this country when I was about eight years old, this country has afforded not just me, but the millions of immigrants, the first generation we call issei and nisei, opportunities that we never would have had in our home countries.

With 16.2 million residents, Asian Americans and Pacific Islanders are one of the fastest growing populations in the United States. In fact, the Census Bureau estimates that by the year 2050, more than 33.4 million Asian Americans will call the United States home.

Asian and Pacific Islander Americans have made valuable contributions to every aspect of American life—from business to education to politics to the arts to the military. For example, there are approximately 1.1 million APIA-owned small businesses all across the country that employ 2.2 million workers. There are also hundreds of thousands of APIA servicemembers and veterans, including more than 53,500 brave men and women who have been deployed to Iraq and Afghanistan since 2001.

Today, I was glad to join my colleagues in supporting passage of H.R. 347, which appropriately awards a Congressional Gold Medal to the 100th Infantry Battalion and the 442nd Regimental Combat Team in honor of their extraordinary and dedicated service during World War II.

Comprised predominantly of nisei, the American-born sons of Japanese immigrants, members of the University of Hawaii's Reserve Officers' Training Corps, the ROTC, aided the wounded, buried the fallen, and helped defend vulnerable areas in Hawaii after the attack at Pearl Harbor.

In spite of these acts of courage, the U.S. Army discharged all nisei in the ROTC unit, changed their draft status to ineligible, and segregated all Japanese American in the military on the mainland out of their units. In the meantime, more than 100,000 Japanese Americans were forcibly relocated from their homes to internment camps.

Undaunted, members of the Hawaii Provisional Infantry Battalion joined the 100th Infantry Battalion in California to train as soldiers. The sheer determination and pursuit of excellence displayed by this battalion in

training contributed to President Roosevelt's decision to allow nisei volunteers to serve in the U.S. military again, leading to their incorporation into the 442nd.

Members of the 100th and 442nd risked their lives to fight for our country and allies in Europe. The 442nd ''Go for Broke'' unit became the most decorated in U.S. military history for its size and length of service, with its component, the 100th Infantry Battalion, earning the nickname ''The Purple Heart Battalion.''

I'd like to thank Congressman SCHIFF, the chief sponsor of H.R. 347, for providing us with the opportunity to bestow this body's most distinguished honor, the Congressional Gold Medal, to these brave soldiers on the behalf of a grateful Nation.

I would be remiss if I did not mention one of Hawaii's favorite sons as we celebrate this month, and that is President Barack Obama. While not ethnically Asian American or Pacific Islander himself, his ties to our community are strong ones, and his support on our issues could not be more heartfelt.

He has appointed, as mentioned earlier, Asian Americans to key cabinet positions: Steven Chu, Secretary of Energy; Gary Locke, Secretary of Commerce. By the way, Gary Locke is the first Asian American to be elected Governor outside of Hawaii. And Kauai's own General Eric Shinseki, Secretary of Veteran Affairs.

One of the issues that President Obama has supported is self-determination for the indigenous people of our State of Hawaii—native Hawaiians who deserve to have the same right to self-determination enjoyed by other indigenous groups such as the American Indians and the Alaskan natives.

H.R. 2314, the Native Hawaiian Government Reorganization Act, would set up a process for native Hawaiians to organize a governmental entity. I look forward to working with my colleagues in the House and our President in passing this important bill.

I would also be remiss if I did not pay tribute to my predecessor, Congresswoman Patsy T. Mink of Hawaii, a trailblazer in every sense of the word. I thank my colleague, Congresswoman RICHARDSON, for mentioning Patsy Mink, for whom title IX was renamed the Patsy T. Mink Equal Opportunity in Education Act.

Title IX changed the lives of women and girls across our country. In fact, a couple of years ago, several of the high schools in my district were given a special recognition for really promoting title IX and participation of high school girls in sports. When I attended one of these high schools to present them with a special recognition, one of the girls asked me a question that totally floored me. That question was, If you could pick a sport, what sport would you have participated in? And it floored me because it was a question that had never been asked when I was in high school.

That's the kind of difference that title IX is making. In fact, Patsy's own daughter, when she applied to a particular school and did not get accepted, the reason for that was, they told her, We have enough women in our university. This all preceded title IX. Literally thousands and thousands of lives have been change by title IX.

In closing, I'd like to also once again thank Chairman HONDA for allowing us this opportunity to reflect upon how far our APIA community has come, and yet we must remember how much further our community has to go.

As we say in Hawaii, mahalo nui loa.

Mr. HONDA. Mahalo.

Ms. HIRONO. Thank you, Congressman.

Mr. HONDA. I'd like to thank the gentlelady from Hawaii. It appears that the mainland Asian Americans have to strive real hard to catch up to the contributions that many of the folks from Hawaii had accomplished.

You mentioned Patsy Mink. I think a lot of us understand that when we come from humble backgrounds—and she often shared that she was born on a plantation; went for many years without shoes. She understood what it meant to be a woman. And I suspect your background has been very similar.

□ 1930

Mr. HONDA. The idea of title IX and equity for women was probably one that formulated in her life and in her work, and the opportunity came about when she was able to walk the Halls of Congress. She did that, but she didn't stop there because I understand there is a story about her where she led a contingent of women to protest that there were no gymnasiums here for women and only for men. That must have been a real sight.

Ms. HIRONO. I can tell you, having gone to the women's gym in the Rayburn Building, things have changed. We have full-size lockers now. Truly, in terms of gender equality, Patsy was a leader because she had to fight every step of the way. And, in fact, one of the other stories about Patsy is when she applied to medical school. And she was a very smart woman. She wanted to become a doctor. She applied to medical school and was refused because she was a woman. When she finally applied to law school, they put her in the international dorm because they thought she was a foreign person.

We have come a long way.

I did want to mention as long as we are talking about the challenges that immigrants face. There was a historic poll done recently focusing on immigrant women and the fact that so many of them come to this country to truly create a new life of opportunity for their children. Many of them were professionals in the countries from which they came, and so they did not come to make money. Often the kind of jobs they were able to get in this country were very poor paying with not very many benefits.

This was so reminiscent of when my mother brought us to this country. We came literally with nothing, and she started off in a very poor-paying job with no benefits. But what guided her was this immigrant spirit of wanting to create a new life for her children. That kept her going. She wanted for herself to be able to take care of her family, but to have us have opportunities that she never had.

That story is replicated in thousands and thousands and thousands of stories by the waves of immigrants from Japan, Korea, China, the Philippines, over and over. And to know that even now these women and their families face particular challenges should reinforce in us our desire to not only celebrate all of the accomplishments of the APIA community, but to know that there is much more work to be done.

Mr. HONDA. Thank you for sharing that. I guess in English we say you weren't born with a silver spoon in your mouth, nor golden chopsticks. Knowing your history of political participation, being the lieutenant governor of Hawaii and now representing Hawaii, I guess one can say that you are a statistical aberration of probabilities, and who would guess except for the fact that your mom had such great strength.

Ms. HIRONO. One of the things that I always say is that this is a great country, and even if we are not perfect, what a country. I am reminded once again of that with the election of our first African American President.

Mr. HONDA. Thank you very much.

For the record, I know I said I would go until 7:30, but it seems we have gotten verbose and more comfortable with this kind of presentation so we will move on as designated.

Madam Speaker, for the first time we are marking Asian Pacific American Heritage Month with an American President with close ties to Asia, as has been mentioned previously. President Obama grew up in Hawaii and Indonesia. His sister is half Indonesian, and his brother-in-law is Chinese Canadian, and he has maintained close ties with Asian friends and colleagues throughout his life.

President Obama's campaign made unprecedented efforts to reach out to the APIA communities, and we have found a receptive and engaged administration with a close ear to our shared interests.

Many APIA community members have responded to President Obama's call for public service.

The President's Cabinet appointments include a record three Asian Americans: Energy Secretary Steven Chu; Commerce Secretary Gary Locke, the former Governor of Washington; Veterans Affairs Secretary General Eric Shinseki of Hawaii; and General Shinseki is joined at Veterans Affairs by Colonel Tammy Duckworth, who serves as Assistant Secretary.

He has chosen AAPIs for positions in the White House and throughout his

administration, including Peter Rouse, Chris Lu, Tina Tchen, Kal Penn, Nicholas Rathod, Kundra Vivek, and Sonal Shah.

Among many others in the White House, CAPAC's own Victoria Tung transitioned from her position as CAPAC executive director to an appointment Under Secretary Locke at the Department of Commerce.

The ranks of Asian American Pacific Islander Members of Congress also increased this past year with the election of ANH ''JOSEPH'' CAO from Louisiana's Second District, GREGORIO KILILI CAMACHO SABLAN from the Northern Mariana Islands, and STEVE AUSTRIA from Ohio's Seventh District.

Representative CAO has the distinction of being the first Vietnamese American elected to Congress.

Representative SABLAN is the first Member to represent the Northern Marianas, and the only Chamorro person serving in Congress today. Representatives CAO and SABLAN are also the newest members of the CAPAC executive board. Our newest associate members are Congresswoman CAROLYN MALONEY of New York and Congressman JERRY MCNERNEY of California, and we have many more lined up to join.

It is a testament to our evolving national character as a nation of immigrants to have our newest Members of Congress come from upbringings beyond our shores.

Talking about beyond our shores, the Northern Marianas, the most western outpost of the United States, here to speak with us is the gentleman from Northern Marianas, Congressman SABLAN.

Mr. SABLAN. Thank you very much. I am very happy to join the chairman of our caucus here before you, Madam Speaker, as part of the celebration of the Asian American and Pacific Islander Heritage Month.

On May 1, 2009, President Obama proclaimed May 2009 as Asian American and Pacific Islander Heritage Month.

Pacific Islanders and Asian Americans of the Commonwealth of the Northern Mariana Islands celebrate our heritage and praise those who pass on our history to our children.

The people of the Northern Mariana Islands have much to celebrate: our strength and our relationship with the United States. We have two distinct but related people: the Chamorros and the Carolinians. Our culture and language are witness to the evolution and strength of our people. From the over 300-year occupation of the Spanish beginning in the early 1500s, to the purchase of the islands by the Germans in 1899, to the annexation of the islands by Japan before World War II, to becoming a trust territory for 30 years under the United States after the war, the Chamorro and the Carolinian people remain proud of who they were and who they are today.

The strength is seen in the eyes of our elders and passed on to generations thereafter. Despite the tragedies that have fallen on our elders and their elders before, our people are very hospitable. We have embraced people from all over the world, not just into our islands, but into our own homes. For instance, we have cultural exchanges between our schoolchildren and other children from other nations who come to the Northern Marianas. Families host and have barbecues for visiting military personnel during their R&R visits, and we have several yearly festivals showcasing the many beautiful faces and cultures of the Marianas.

We celebrate the independence of our people as part of our heritage. The people of the Northern Mariana Islands decided the fate of their future after World War II. We chose, as an act of political self-determination, to be a governing commonwealth within the American political system.

Just last month on March 24, we celebrated 33 years of our relationship with the United States. Covenant Day is the recognition of the agreement made between the Northern Mariana Islands and the United States and which granted the Northern Mariana Islanders United States citizenship. Where else but in America can an individual who has only been a citizen for 22 years be allowed to be a Member of Congress?

While Covenant Day celebrates the union between the Northern Mariana Islands and the United States, Asian American and Pacific Islander Heritage Month celebrates the very people who are part of this union. Pacific Islanders contribute much to the United States landscape, including teachers, service in the military, caring for those in need of medical assistance, defending and prosecution under our legal system, and volunteerism in so many ways.

And after 33 years, the people of the Northern Mariana Islands can contribute even more now that they have a voice in Congress. The people can become involved in policies that are beneficial to all, including Asian Americans and Pacific Islanders. A voice in Congress is evidence of independence, but at the same time resonates with a theme of working together, which is exactly who we are.

For example, health care reform impacts not only Pacific Islanders on a local level, but affects all people on a national level. Our voice in Congress will seek to protect the people of the Northern Mariana Islands, as well as other people across our Nation.

Lastly, our cultural legacy is only as strong as we remember our past. There are not enough pages for me to list each and every person who has contributed to the preservation of our culture and language. In general, I would like to thank the people who have written books about the Northern Mariana Islands, who have taught our history to our children in classrooms, to the organizations that have sponsored debates, contests, and conversations, and the librarians who archive our important documents for future generations.

While May has been formally recognized as Asian American and Pacific Islander Heritage Month, our people celebrate our heritage every day by speaking our native tongue, by reading books of our past, by visiting and paying respect to our elders, by learning from them, and by performing our cultural dances and singing our local music.

Madam Speaker, I recommend the following literature about the Northern Mariana Islands for those who are interested:

□ 1945

''Tiempon I Manmofo'na: Ancient Chamorro Culture and History of the Northern Mariana Islands''; ''We Drank Our Tears: Memories of the Battles for Saipan and Tinian as Told by Our Elders''; ''Estreyas Marianas: Chamorro''; Ancient Chamorro Society''; ''An Honorable Accord: The Covenant Between the Northern Mariana Islands and the United States''; ''History of the Northern Mariana Islands''; ''A Tidy Universe of Islands''; and ''Tiempon Aleman: A Look Back at the German Rule of the Northern Mariana Islands, 1899–1914.''

I would like to say in our native tongue, Si Yu'us Ma'ase, Ghilisow, and thank you.

Mr. HONDA. Thank you very much, Congressman KILILI, as you like to be called.

Many things that happen in the Northern Marianas is that—and a lot of people don't seem to understand or know—is that there is a dire need in those islands that we should be paying attention to. Many times when you're out of sight, you're out of mind; and your presence has brought to our sight and to our understanding the many things that the islands are facing, such as the situation in Saipan.

Could you just share a little bit about that.

Mr. SABLAN. Thank you. Let me put it this way; I have been told, actually, in my seventh week here in Congress, that, look, you can't catch up 33 years of absence in 7 weeks' time.

We are a small island. We have very little resources. I have always said that education is the number one resource we have, and as a member of the Committee on Education and Labor, I continue to forward that agenda for our islands and for our future. But obviously, because we have not had a Member in Congress since we became a United States Commonwealth, we have had a lack of resources.

Our island, for example, we just don't have 24-hour water. And not just that, but if you're lucky enough to get 2 to 3 hours of water a day, you can't drink that water anyway, so you use it to wash your clothes and bathe and those kinds of things.

Our number one problem is we have major parts of one island in Saipan and the other two islands have absolutely no sewer system. So, yes, we are trying to bring to the attention of Congress

and the Federal Government the needs of these islands.

We have a set of 14 islands in the Northern Mariana Islands that right now three are inhabited. At one time, seven islands were inhabited, but because of the lack of infrastructure in those islands, the absence of schools, public health and running water and utilities, those people actually uprooted and moved into Saipan. So we have the situation where we are so far removed—as you know, we are 15 time zones away from Washington, D.C. We are so far away, it is now 10 o'clock in the morning tomorrow, and so the time difference is amazing.

I would like to also admit that when I came here in January, since then I have been very welcomed by the Members of this Congress and by you, Mr. Chairman. I am so grateful for the hospitality, the courteousness that I was given, the decency and respect with which I am addressed. That just makes me much more convinced that America is truly a Nation of great people and generous people. Thank you.

Mr. HONDA. Thank you. And the admonition of you can't take care of 33 years in 7 weeks, if we all believed that, then we would still be back, perhaps, in the dark ages. Many people in the old days used to say, just be patient and by and by things will happen, but things don't happen without some initiative and some understanding and the information you bring with you. So the people of the Northern Marianas and this country, we are very responsible for many of the things that happened in the Pacific Islands because of the testing we've done out that way and things like that, really does speak to the responsibility of trying to find ways, with technology, to be able to afford and provide the necessary kinds of things that are required for living a quality of life, such as fresh water. So we thank you very much.

Mr. SABLAN. Thank you for having me.

Mr. HONDA. Madam Speaker, our Nation was founded by immigrants who valued freedom and liberty, who sought to be free from persecution, from tyranny.

Families fled their home countries to seek refuge in this great Nation because they, too, believed in liberty, justice, and freedom for all. It is in this spirit that CAPAC supports immigration legislation that shifts the debate from an exclusionary, anti-immigrant, enforcement-only approach to one that confronts the social and economic realities behind immigration, honors the dignity of all families and communities, and recognizes the economic, social, and cultural contributions of immigrants to our great country.

Today, AAPIs constitute a growing and vibrant piece of the American fabric. In 2007, approximately 10.2 million of the Nation's foreign born were born in Asia, constituting over one-quarter of the foreign-born population and over one-half of the total Asian American Pacific Island population.

Even with a relatively high naturalization rate, Asian undocumented immigrants living, working, or studying in the U.S. represent approximately 12 percent of the undocumented immigrants in the U.S. These include victims of immigration fraud who have become undocumented due to no fault of their own. Many work and study hard and pay taxes, yet live in fear with no hope of gaining a path to legal permanent resident status.

We must also recognize that reuniting families gives strength to American communities and are the bedrock of a vibrant and stable economy. We must eliminate the long backlogs keeping families apart for years and often decades. We have the tools and resources to remove the obstacles of massive backlogs, insufficient staffing, and unused visas that cause unnecessary misery for our newest Americans.

Let's keep families together. By strengthening the social fabric of our communities and integrating workers, we can get our economy back on track while reuniting American workers with their families.

The American people spoke in a united voice last year when they voted down the politics of division and embraced the politics of change. President Obama, the son of a Kenyan immigrant, has made comprehensive immigration reform a high priority. CAPAC is prepared to work with our colleagues to push through the long-deferred changes needed to ensure a fair, efficient, and secure immigration system. We join with the other caucuses to make sure that becomes a reality.

Madam Speaker, a common misperception of AAPIs is that as a group we face fewer health problems than other racial and ethnic groups. In fact, AAPIs as a group, and specific populations within this group, do experience disparities in health and health care. For example, AAPIs have the highest hepatitis B rates of any racial group in the United States. We must bring attention to and educate our communities about prevention of hepatitis B through testing and vaccination.

In the United States, 12 million people have been infected at some time in their lives with the hepatitis B virus, and more than 5,000 Americans die from hepatitis B-related liver complications each year. Asian Americans and Pacific Islanders account for more than half of the chronic hepatitis B cases and half of the deaths resulting from chronic hepatitis B infections in the United States.

In order to break the silence surrounding this deadly disease and bring awareness to the American people, Congressman EDOLPHUS TOWNS, Congressman CHARLIE DENT, Congressman ANH CAO, and I will introduce a resolution to support the goals and ideals of Viral Hepatitis Awareness Month and World Hepatitis Awareness Day. I hope my colleagues will join me in educating our communities about the dangers of this disease.

Furthermore, according to the Census Bureau, 16.8 percent of AAPIs went without insurance in 2007, up from 15.5 percent in 2006. This means that the uninsured are not only more likely to go without care for serious medical conditions, they are also more likely to go without routine care, less likely to have a regular source of care, less likely to use preventative services, and have fewer visits per year. At the same time, without appropriate language translation services or properly translated materials, limited English-proficient immigrants cannot receive adequate care as well as State and Federal benefits for which they may be eligible.

In the AAPI community, 76 percent of Hmong Americans, 61 percent of Vietnamese Americans, 52 percent of Korean Americans, 39 percent of Tongans speak limited English. Therefore, eliminating health care disparities in the AAPI community must include data collection, linguistically appropriate and culturally competent services, and access to health insurance.

CAPAC has been working with both the Congressional Hispanic and Black Caucuses on the Healthcare Equality and Accountability Act to eliminate ethnic and racial health disparities for all of our communities. The act would expand the health care safety net, diversify the health care workforce, combat diseases that disproportionately affect racial and ethnic minorities, emphasize prevention and behavioral health, and promote the collection and dissemination of data, and enhance medical research. CAPAC has also joined the Congressional Black, Hispanic, and Progressive Caucuses to strongly support a public health insurance plan option, such as Medicare.

In addition to immigration and health care reform, expanding educational access for all Americans is also a high priority for CAPAC. This Saturday marks the 55th anniversary of Brown v. Board of Education. As we celebrate, we must remember that education is at the very center of our democratic meritocracy, and it is imperative that every American should be afforded the true opportunity to achieve their highest potential.

I have reintroduced the Educational Opportunity and Equity Commission Act, H.R. 1758, to begin the process of overhauling the country's education system and to finally address the disparities among America's schools. This legislation creates a national commission charged with gathering public opinions and insights about how government can improve education and eliminate the disparities in our educational system. I hope you will join me as cosponsors to this legislation.

As we celebrate Brown v. Board of Education, we must remember the needs of all young people, including Asian American and Pacific Islander students, many of whom struggle in low-income communities, refugee communities, and do not have sufficient English skills. Brown paved the way

for future Supreme Court rulings, such as in 1974, the Supreme Court's unanimous decision in Lau v. Nichols. That decision enumerated the educational rights of English language learners and established that education is a civil right. As Asian Americans and Pacific Islanders, we should be proud of our community and its participation in our country's civil rights movement and not forget that we have a long way to go yet.

According to the 2000 Census, only 9.1 percent of Cambodian Americans, 7.4 percent Hmong Americans, 7.6 Lao Americans, 19.5 percent of Vietnamese Americans, and 16.5 of Native Hawaiians and Pacific Islanders who are 25 years and older have a bachelors degree or higher. These numbers show that we must do a better job of disaggregating data and information about our communities and to assess the needs of those hardworking Americans who still falter behind.

To address the disparities between subgroups of the larger AAPI community, we must support greater funding for Asian American and Pacific Islander-serving institutions. This program provides Federal grants to colleges and universities that have an enrollment of undergraduate students that is at least 10 percent AAPI, and at least 50 percent of its degree-seeking students receive financial assistance.

On behalf of the Congressional Asian Pacific American Caucus, Congressman DAVID WU and I will be working to increase the availability of loan assistance, scholarships, and programs to allow AAPI students to attend a higher education institution, to ensure full funding for teachers and bilingual education programs under the No Child Left Behind law to support English language learners; and to support full funding of minority outreach programs for access to higher education, such as the TRIO programs, to expand services to service AAPI students.

I am proud of our community's accomplishments, and I would like to recognize many of the AAPI ''firsts'' in the areas of art, film, sports, sciences, academia, and politics.

In 1847, Yung Wing, a Chinese American, graduated from Yale University and became the first AAPI to graduate from an American University.

In 1863, William Ah Hang, a Chinese American, became the first AAPI to enlist in the U.S. Navy during the Civil War.

In 1913, A.K. Mozumdar became the first Indian-born person to earn U.S. citizenship, having convinced the court that he was Caucasian, and therefore met the requirements of naturalization law that restricted citizenship only to free white persons.

□ 2000

In 1922 Anna May Wong, in her lead role in The Toll of the Sea, at the age of 17 became the first AAPI female to become a movie star, achieving stardom at a time when prejudice against Chinese in the U.S. was rampant.

In 1944 An Wang, a Chinese American who invented the magnetic core memory, revolutionized computing and served as the standard method for memory retrieval and storage.

During World War II, the 442nd Regimental Combat Team of the U.S. Army, comprised mostly of Japanese Americans, became the most highly decorated unit of its size in the history of the U.S. Army, including 22 Medal of Honor recipients.

It appears that my time is expiring. So let me quickly indicate that we have young people like Wataru ''Wat'' Misaka who was born in 1947 who became the first ethnic minority and the first AAPI to play in the National Basketball Association, the New York Knicks. Imagine that, an Asian American in basketball.

Madam Speaker, I want to thank you for this opportunity to share within a short hour the history of the Asian Americans and a variety of communities that reside in this country that have contributed, yet many of these names are still unknown.

Ang Lee is probably the most widely known today, the Chinese American director who was the first to win an Academy Award for Best Director.

Thank you very much, and we would hope that we have opportunities in the near future to be able to share more.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore (Mrs. HALVORSON). Without objection, the 5-minute request of the gentleman from Texas (Mr. POE) is vacated.

There was no objection.

THOSE WHO WEAR THE UNIFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. POE) is recognized for 60 minutes.

Mr. POE of Texas. Thank you, Madam Speaker.

It has been said that we sleep safe in our beds because bold men and women stand ready in the night to visit justice on those who would try to do us harm.

Madam Speaker, those bold men and women are those people throughout America that wear the uniform of a peace officer, a law enforcement officer that wears the badge on their chest to represent that symbol, to protect the community from those evildoers.

Each year, 50,000 police officers are assaulted in the United States. Let me repeat. Fifty thousand peace officers in the United States are assaulted by somebody.

On May 17, 1792, New York City's Deputy Sheriff Isaac Smith became the first recorded police officer to be killed in the line of duty. Since then, Madam Speaker, 18,340 police officers have been killed while on duty protecting the rest of us.

In 1961, Congress created Peace Officers Memorial Day and designated it to be commemorated each year on May 15, which is tomorrow. I am proud to be the sponsor of this year's resolution that passed this House unanimously in February.

Every year the President issues a proclamation naming May 15 National Peace Officers Memorial Day. A quote by President George H.W. Bush is engraved on the National Law Enforcement Officers Memorial located in Washington, D.C., that summarized the mission of the 900,000 current sworn law enforcement officers in the United States.

Here's what it says, Madam Speaker: ''It is an officer's continuing quest to preserve both democracy and decency and to protect a national treasure that we call the American dream.'' That is the mission statement of peace officers in this country, those who wear the American uniform.

Tomorrow, Madam Speaker, on the other side of the Capitol, on the west side of the Capitol, 140 families will be assembled together. They will be surrounded by thousands of other people. Most of those people will be peace officers from somewhere in the United States, wearing their uniforms, standing at attention to honor those 140 families who lost a loved one last year in the line of duty because 140 peace officers of the United States law enforcement community were killed last year in the line of duty. Ten percent of those, 14, were from my home State of Texas.

The names of those 14, Madam Speaker, are:

Deputy Constable David Joubert. He worked for the Harris County Constable's Office, Precinct 7 in Houston, Texas.

Police Officer Matthew B. Thebeau, Corpus Christi Police Department.

Corporal Harry Thielepape, Harris County Constable's Office, Precinct 6, in Houston, Texas.

Senior Corporal Victor A. Lozada Sr., Dallas Police Department.

Trooper James Scott Burns of the Texas Department of Public Safety, working for the Highway Patrol in Texas.

Police Officer Everett William Dennis, Carthage Police Department in Texas.

Sergeant Barbara Jean Shumate who worked for the Texas Department of Criminal Justice.

A personal friend of mine, Police Officer Gary Gryder who worked for the Houston Police Department.

Another personal friend of mine, Detective Tommy Keen of the Harris County Sheriff's Department. I knew him 25 years ago when I was a prosecutor and he was still arresting outlaws.

Game Warden George Harold Whatley, Jr. who worked for the Texas Parks and Wildlife Department.

Sheriff Brent Lee of the Trinity County Sheriff's Department in Texas.

Police Officer Robert Davis of the San Antonio Police Department.

Just recently in December, Police Officer Timothy Abernathy of the Houston Police Department.

And last on the roll call of the 14 dead, Police Officer Mark Simmons of the Amarillo Police Department.

One hundred and forty individuals who wear the badge, who gave their lives last year, their families will be here tomorrow in solemn tribute and honor of those individuals.

Already in 2009, Madam Speaker, there have been 46 law enforcement officers that have died in the line of duty. Once again, over 10 percent of those are from my home State of Texas.

Madam Speaker, at this time of year throughout the United States, peace officers who wear the badge on their chest will have a black cloth draped across that badge. That black cloth is to honor those brothers and sisters in law enforcement that were killed in the line of duty. Many peace officers are here in Washington already. You can see them throughout the city, wearing their uniforms with that black cloth of sacrifice.

Most peace officers wear a badge, or as they call it, a shield. It comes from hundreds of years ago when individuals who acted as police officers protected the communities with actual shields and swords. Now it has been symbolized, and that's what they wear on their chest.

In Texas, many of the peace officers, especially the sheriff's department, all wear stars. It comes from our history of the old west. In fact, the Texas Rangers still wear a star on their chest. They don't wear uniforms. They dress with a Stetson hat, a white shirt, and then they wear a star.

Whether it's a badge or a star or a shield, all of those symbols and emblems are placed over the heart and chest of our peace officers because they were protecting us from those who wish to do us harm.

I've known a lot of police officers over the years. As I mentioned, I was a prosecutor in Houston. I spent 22 years on the bench as a judge trying criminal cases. So I met a lot of them. I tried cases where police officers were harmed and even killed. It's my opinion that those men and women that wear the uniform, the badge, they represent everything that's good and right about America.

When I was a small kid, I had gone to a parade with my dad in a small town called Temple, Texas. I must have been about 5 or 6 years of age, and a parade was going by. Of course as all parades should be, Old Glory was going by first with a mounted horseman, and then the Texas flag.

I noticed on the street that there was an individual who wasn't involved in the parade, but he was just standing there, watching the parade, observing the crowd. My dad noticed that I was observing this individual, and of course it turned out to be a Temple police officer. That was in the days when they didn't wear uniforms. They just wore a star or a badge and a white shirt and cowboy hat.

He told me something that was really true then and is still true today in 2009. He said, If you are ever in trouble, if you ever need help, go to the person who wears the badge because they're a cut above the rest of us.

That's true, Madam Speaker. They are a cut above the rest of us, and they still are there when we need help, when we're in trouble, we need the help of someone who wears the uniform.

Looking at it another way, peace officers are the last strand of wire in the fence between the fox and the chickens, between the good guys and the bad guys. They're it. They are the only protection we have between the law and outlaws. It's great that they serve in that capacity.

We have a lot of different agencies in this country. It's not just our local police officers. It's not just the sheriff's departments, but there are all the Federal agents that we have.

The U.S. Air Marshals that fly and protect us in the air. The drug enforcement agents, the ATF, and we certainly cannot forget the Border Patrol. Our own Capitol Police who serve us even tonight in this building, near this building, watching, ever vigilant to make sure no harm comes to the Capitol or to the people that serve in government in Washington, D.C.

It wasn't long ago, not too many years ago when right down this hall, the center aisle—as we go out the center aisle, there's the majority leader's office—when two Capitol Police officers gave their lives because somebody came in here with a gun, trying to do harm to Members of Congress. Their tribute is still in that hallway. Capitol Police officers are always vigilant and always on guard.

There are others that wear the uniform that really protect us, other than law enforcement. Those emergency medical technicians and of course the firefighters who serve throughout the country and have died in the line of duty, two in Houston, Texas not long ago, several in California.

Madam Speaker, if we go back a few years to September 11, 2001, all of us remember what we were doing that day. I was driving to the courthouse as a judge, listening to the radio, driving my Jeep.

News came on the radio that an airplane had crashed into one of the Twin Towers in New York City. It startled me like every other American, I'm sure. Then a few minutes later on the radio it said a second plane had crashed into the other Twin Tower in New York City. It wasn't long after that on the radio, which was now giving constant broadcasts of that event in New York City, that a third plane had crashed somewhere in Pennsylvania because of some wonderful Americans on that plane who took matters into their own hands. Then lastly we heard about a fourth plane who flew over this area, Madam Speaker, and crashed into the Pentagon in sight of this very building.

Later that night, I, like probably most Americans, was watching TV, seeing exactly what had happened, and I noticed that when those planes hit the World Trade Center, that thousands of people, good folks from all countries, thousands of people started running as hard as they could to get away from that terror in the sky.

□ 2015

But there was another group of people, not very many, but they were there, that when those planes hit the World Trade Center, they were running as hard as they could to get to that terror. And who were they? They were emergency medical folks. They were firefighters. And they were cops, because that is what they do, Madam Speaker. And while it is important to remember the 3,000 that died that day, it is equally important to remember those that got to live because those emergency people were there to pull them out of the World Trade Center. Marvelous group of folks, those people who wear the badge and protect the rest of us.

And here, Madam Speaker, when that fourth plane came flying near the Capitol and crashed across the Potomac River into the Pentagon where 300-plus were killed, as you know, right next to the Pentagon is Arlington National Cemetery. In Arlington National Cemetery, we have the Tomb of the Unknowns, or as some call it, the Unknown Soldier. It is protected 24 hours a day by an Army unit called the Old Guard. It is important that all Americans go to that tomb and see the changing of the Old Guard every hour or half hour.

But when that fourth plane crashed into the Pentagon, Madam Speaker, those soldiers guarding the Tomb of the Unknown never left their post. In fact, they called for reinforcements. Marvelous group of people that put on the uniform, whether it is the uniform of a peace officer or the uniform of someone in the military.

So tomorrow, May 15, we honor those who have been killed in the line of duty protecting us, those peace officers, the 140 families. Ten days after tomorrow, which will be May 25, we honor those who have served America in the military uniform and given their lives.

On Memorial Day we honor the soldiers that went somewhere in the world and didn't come back. On Veterans Day, we honor those that left and were able to return. So on May 25, Madam Speaker, we will honor those soldiers, marines, sailors and airmen who went to war for this country and did not return.

I believe it is important that we remember our history, that we know our history, all of it, regardless of what it is we should know as Americans about the people who lived before us, because they are people. And some of them were quite remarkable individuals.

The first war really that the country fought, if you don't count the French and Indian War, was the Revolutionary War. About 5,000 Americans died, a relatively high number considering the percentage of the population that 5,000 represented. And it wasn't easy, Madam Speaker. That war lasted over 7 years. And there were those then, like there have always been in this country, the cynics, the critics and the doomsayers that kind of wanted to quit. But those resilient men and women that fought those 7 years never gave up. And they never quit because, you see, some things are absolutely worth fighting for. That is kind of what this country stands for. And liberty is one of those things worth fighting for.

So after 7 years, the country became a Nation. Put it in perspective. The United States, just a bunch of colonial folks, farmers, merchants and lawyers, took on the mightiest empire that had ever existed in the history of the world, the British Empire, and defeated it.

The British didn't get the point, Madam Speaker, because in 1812 they invaded the United States again to reconquer this country. The War of 1812 is something we don't talk too much about. We don't understand that we could have lost our country to the British invasion. They invaded this city. They burned this Capitol to the ground. They burned every building in Washington, D.C., except the Marine barracks right down the street. And then they headed up to Baltimore and were ready to take over Baltimore. But because of defiant Americans in 1814 that were there, the British finally went home, although 2,500 Americans died in the War of 1812.

Then the United States went to war in the Mexican-American War in 1846, about 14,000 Americans, fighting to defend and protect the border of the United States, because that is what that war was all about, the dignity and sovereignty of the United States, especially the southwestern part of the United States. And then the war that most Americans at least remember, the Civil War, or the War Between the States, when the Nation was divided in half, brother against brother in some cases, family against family. In the War Between the States, between the North and the South, 600,000 Americans died. True, they were from the North and from the South. But let me say something, Madam Speaker. They were all Americans, every one of them. And if you put that percentage of 600,000 in 1860 to 1865 to today, that would be about 5 million Americans in today's numbers, all fighting for what they believed in.

I have had the opportunity to travel and see many of our historic battlefields. Many are close by, in Virginia, where hundreds, thousands, of Americans died. Just one example, the Wilderness Battlefield, down the road about 75 miles, fought in 1864. There were 100,000 Union troops and 60,000 Southern troops on one battlefield. That is the amount of troops, 160,000, that is the number of troops that we have tonight in all of Iraq and Afghanistan put together. And if you take all those numbers and put them on one battlefield, that is how many people were on one battlefield in 3 days in May in 1864. In that battle, 30,000 casualties. It is called the ''Wilderness'' because of the massive amount of trees that are there.

And I had the honor to go with my friend from Vermont, PETER WELCH, from the other side of the aisle, from the North, to go together to the Wilderness Battlefield last week to pay tribute to those that died. We went for several reasons. One is because Vermont, from the North, sustained the highest casualties ever in the State of Vermont in any war. And in that battle also 60 percent of the Texans that were in that battle were casualties. So we went to pay honor to them because, like I said before, they were all Americans. And it is unfortunate now we are having to fight another battle with a corporation called Wal-Mart that wants to build one of their beautiful stores right there on the battlefield. Wal-Mart sees profit more important than patriotism.

But be that as it may, that was the type of situation this country faced in the 1860s. Americans all gave their lives, 600,000 of them.

Then it wasn't over. We went to the Spanish-American War right before the turn of the last century, 2,500. That was, as you recall, Teddy Roosevelt and the Rough Riders. And then we went to the war that was supposed to end all wars, that is World War I, the war where millions actually died throughout the world. The United States went into World War I late. But because we were there, in my opinion, it made a difference, and the war was successful. It successfully ended. 4.4 million Americans, they were called ''doughboys'' because their uniforms looked like dough, 4.4 million of them went over there. They went to places they had never heard of and they fought for people they did not know. But they went because America wanted them to go. Of those that went, 114,000 of them did not come back, Madam Speaker.

Of course, World War I did not end all wars. World War II was soon behind where 405,000 Americans were killed. In World War II my dad proudly served as an 18-year-old and went over to France. He had never been more than 50 miles from home, and there he found himself, as many other American GIs in World War II, a long way from home fighting in Europe and in the South Pacific. But it wasn't over. World War II ended in 1946.

Four years later we are at war again in Korea. It is called the Korean ''conflict.'' I don't know why it is called that. It was war. People died. Americans, 36,000 died in Korea trying to protect another nation called South Korea.

And then when it was over, it was Vietnam, the longest war in American history, over 10 years, where 58,000 Americans died. And then the recent Middle East American wars, the Persian Gulf war and the war in Iraq and Afghanistan that are taking place now where over 4,000 Americans have died. I had the honor to travel to Iraq and Afghanistan, to see our troops, to see the NATO troops as well in Afghanistan. I have also talked to the families of people who have lost sons or daughters in Iraq and Afghanistan. Just in my congressional district of Texas, 26 men and women from all races have been killed in Iraq and Afghanistan. And we, like many other offices, honor them and give a tribute to them by having their photographs at the entrance to our offices.

I mention the folks in Iraq and Afghanistan, Madam Speaker, because it is my opinion that they are the finest military that has ever existed in the history of the world that are representing us. And they are all volunteers, Madam Speaker. They all volunteered to join. And they are still joining. And they are joining knowing that they are probably going to go to Afghanistan. But that is what our military does.

Madam Speaker, on the Mall, right across the street here, down at the end of the Mall, where there is the memorial to Abraham Lincoln, the United States decided to build monuments to the great wars of the last century. So the first monument that was built was the cold, black granite monument to the 58,000 that died in Vietnam. And it has their names on that. And every day, Americans go, veterans go and pay tribute to those men and women that died. They put all types of mementos in front of that glorious monument, whether it is flags or flowers. Other Vietnam veterans have put their medals there. It is very sober and very somber. And it is a wonderful tribute to those that served and were treated badly when they came back home. They went because they were told to go, and they did.

That was the first monument that we built. Then we decided to build a monument to the Korean War, which is across the Mall from the Vietnam Memorial. The Korean War monument is a little different. It shows Americans going through a land mine in the snow going off to battle. Good tribute, marvelous tribute to those that served in the Korean War, the 38,000 that did not come home. And between those two monuments, closer to the Capitol, there is a World War II memorial. There are some bureaucrats in Washington that were opposed to building that. They thought it would be unsightly. I'm glad they didn't get their way. And Congress made sure that it got erected, citizens made sure it got erected and veterans made sure it got erected. Anyway, that memorial is a different type of tribute. It has all the pillars of all the States and all the territories, and it names all the battles

that the United States fought in World War II. And if you stand in front of it, Madam Speaker, you will see in the back what appears to be a bronze plate, a massive bronze plate. But if you get closer to this massive bronze plate, you will realize it is not a bronze plate at all, but it is a wall of 4,000 stars. Each star, each bronze star represents 100 Americans killed in World War II, 400,000 young men and women that did not come back home in the great World War II.

But, Madam Speaker, although we have three monuments to our military to show tribute and honor to them of the last century's wars, we don't have a monument to honor all of those that served in the great World War I.

□ 2030

I have here, Madam Speaker, a photograph. This is a friend of mine. His name is Frank Buckles, Jr. Frank Buckles, Jr., as you see him, Madam Speaker, he looks pretty good. He looks great. He's 108 years old.

In World War I, Frank Buckles wanted to get into the Army, but he was too young. So he went from recruiting station to recruiting station, and he lied about his age. Finally somebody took him, and he got into the United States Army. He says he was 16. He was probably 15 if you do the math right.

Anyway, he served in World War I in Europe. He drove an ambulance in France. He rescued other doughboys that had been wounded on the battlefield and those who had been killed. After the Great War was over with, he back to the United States, and soon he found himself in the Philippines during World War II. He was captured by the Japanese and was held as a prisoner of war for 3 years in a Japanese prisoner of war camp. After the war was over, he was liberated, came back to the United States, and now lives in West Virginia. Frank Buckles Jr., 108. He's the last doughboy, Madam Speaker. Of the 4.4 million that went over there, he's the only one that is left over here. One hundred and fourteen thousand of them died.

When our troops landed in France in World War I, it was a trench war stalemate. Neither side was making any progress until the Americans showed up. And our allies were shocked at the tenacious attitude of Americans going into battle, and our enemies were stunned because of the fact that America was making a difference. And these people, Frank Buckles' generation, the fathers of the Greatest Generation, made a difference and ended that war successfully and came home.

Now, on the great mall we have a tribute to Vietnam, to Korea, to World War II, but we don't have a monument to all of those that served in World War I. There is a small monument to those that served in World War I from Washington, D.C. it's in a decrepit state. It's falling apart. Grass is growing up through it. It's a disgrace. Until recently next to it was the park rangers stable where they kept their horses.

So we need a monument for these folks. We don't honor them. Frank Buckles, he's it. They don't have any high-dollar lobbyists. They don't have any more members of the World War I generation here. There's nobody left. The only people left are Americans, who want, I would hope, to show tribute to Frank Buckles and his generation.

Once again, the bureaucrats are balking. They don't think we need another memorial on the Mall. That's unfortunate that they feel that way. It's interesting enough that the word has gotten out and school kids throughout the United States have gotten involved in this memorial for Frank Buckles and his generation. The first school was a school called Creekwood Middle School in Kingwood, Texas, where kids got together, studied World War I and all the survivors that are left throughout the world like Frank Buckles and the other seven throughout the world, and they've started a campaign to build that memorial. I hope they succeed where the bureaucrats have failed.

We have an obligation, Madam Speaker, to honor those who have served in our military and honor those who have served and have died for the rest of us.

Earlier I mentioned Arlington Cemetery. Arlington Cemetery across the Potomac River, you can see it from a lot of places in Washington before you get to Virginia. It's next to the Pentagon. Throughout Arlington Cemetery there are 300,000 markers to those that have died in America's wars. It says, Madam Speaker, on the Arlington Cemetery Memorial where the 300,000 are buried: ''On flame's eternal camping ground, their silent tents are spread, and glory guards with solemn round—the bivouac of the dead.''

Three hundred thousand Americans of all races, all ages, from all wars since the war between the States are buried at that location.

The United States, Madam Speaker, goes to war, has gone to war, the wars that I mentioned, for a purpose every time. That is to preserve the American way of life and to promote liberty. And when we go overseas, unlike nations before in history that were powerful, when we go overseas, we never go to concur. We go to liberate, to spread the word of freedom, hope, democracy. That's what Americans do. Then they come back after those wars are over, except for those that are killed and are buried throughout the world in graves known only to the Good Lord.

On a hill, a place called Normandy, there's a cemetery. Normandy, Madam Speaker, as you know, is a place in France. Here is a photograph of a portion of the Normandy Cemetery. It's hard to comprehend how massive a cemetery this is without being there. You notice in this cemetery there are crosses for those of the Christian faith, the Star of David for the Jewish faith. But in the cemetery in Normandy, Madam Speaker, there are 9,387 Americans, 9,387 Americans. Mostly young men. Almost all of them killed in their first battle. And Normandy occurred because the United States and the other allies wanted to liberate France from oppression, from a dictator, from the Nazi philosophy. And they are still buried over there, those 9,000. On D-day in June of 1944, almost 3,000 Americans lost their lives and, during the entire conflict, 9,000 of whom are buried here in Normandy.

You know, Americans don't go to war to concur; they go to liberate. And that confuses other countries. That confuses our enemies sometimes. And sometimes it even confuses our allies.

It's been said, Madam Speaker, unfortunately, that Americans are somewhat arrogant. Europeans, we have apologized for Americans being arrogant. I don't understand that statement, unless you call these people right here arrogant that died at Normandy, unless you call people like Frank Buckles, the other doughboys that died in France and in Europe. The United States liberated that nation, that continent, twice in the last century. And we didn't do it for any personal gain. We did it because people were being oppressed by a totalitarian state.

I don't think Americans are arrogant; I think they're proud. They're proud of our way of life. And they should be. This is actually the greatest country that has ever existed in the history of the world, thanks to the Good Lord and His blessings on our country. And we should appreciate that, and I don't think there is anything wrong with being proud of that fact.

So, Madam Speaker, tomorrow we honor peace officers that had been killed have been killed in America defending us, May 15. On May 25 we honor Americans like these still buried in Normandy who went to war to protect us from foreign enemies. And we should constantly remember all of those who had the courage to put on the uniform of an American and go and defend the rest of us.

Madam Speaker, it's been said by one of my heroes, Patrick Henry, that the battle is not for the strong alone but it's to the vigilant, the active, and to the brave. I think that's true of our Americans even tonight that wear the uniform of a peace officer or someone in the military. We are fortunate, as American citizens, that there are those who will make that sacrifice and sign up to defend and protect the Constitution of the United States against all enemies, foreign and domestic.

So, hopefully, Americans, especially the young, will appreciate their heritage, appreciate people who have lived before them that gave them the ability to pursue life, liberty, and the pursuit of happiness. And maybe in the next 10 days when you see a peace officer, a firefighter, emergency medical technician, some soldier coming back from Iraq at the airport that we go up and

shake their hand and tell them we appreciate what they do for the rest of us.

And that's just the way it is.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TANNER (at the request of Mr. HOYER) for today and May 13 on account of family medical situation.

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 Ms. HERSETH SANDLIN) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Ms. HERSETH SANDLIN, for 5 minutes, today.

Ms. ROYBAL-ALLARD, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. PINGREE of Maine, for 5 minutes, today.

Mr. QUIGLEY, for 5 minutes, today.

Mr. SESTAK, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mrs. MILLER of Michigan) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, May 21.

Mr. JONES, for 5 minutes, May 21.

Mr. BURTON of Indiana, for 5 minutes, May 18, 19, 20 and 21.

Mr. SHIMKUS, for 5 minutes, today.

Mrs. MILLER of Michigan, for 5 minutes, today.

Mr. FORTENBERRY, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, May 16.

ADJOURNMENT

Mr. POE of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 15, 2009, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1806. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Table Eggs From Regions Where Exotic Newcastle Disease Exists [Docket No.: APHIS-2007-0014] (RIN: 0579-AC47) received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1807. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida and Imported Grapefruit; Relaxation of Size Requirements for Grapefruit [Doc. No.: AMS-FV-09-0002; FV09-905-1 IFR] received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1808. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Calcium Lactate Pentahydrate; Exemption from the Requirment of a Tolerance [EPA-HQ-OPP-2008-0093; FRL-8412-5] received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1809. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Candida oleophila Strain O; Exemption from the Requirment of a Tolerance [EPA-HQ-OPP-2008-0164; FRL-8412-9] received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1810. A letter from the Acting Deputy Assistant Administrator Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting the Agency's second fiscal year 2009 quarterly report on unobligated and unexpended appropriated funds, pursuant to Public Law 111-8, section 7002; to the Committee on Appropriations.

1811. A letter from the Comptroller, Department of Defense, transmitting the Department's quarterly report entitled, ''Acceptance of contributions for defense programs, projects, and activities; Defense Cooperation Account'', pursuant to 10 U.S.C. 2608; to the Committee on Armed Services.

1812. A letter from the Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's biennial strategic plan on research areas of the Defense Advanced Research Projects Agency, pursuant to 10 U.S.C. 2352; to the Committee on Armed Services.

1813. A letter from the Deputy Under Secretary of Defense for Logistics and Material Readiness, Department of Defense, transmitting the Department's annual report on operations of the National Defense Stockpile (NDS), pursuant to 50 U.S.C. 98h-2(a), section 11(a); to the Committee on Armed Services.

1814. A letter from the Under Secretary of Defense for Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report presenting the specific amounts of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center during fiscal year 2010, pursuant to Division C, DoD Appropriations Act, 2009 and Public Law 110-329, section 8026(e); to the Committee on Armed Services.

1815. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's forty-second report prepared pursuant to Section 3204(f) of the Emergency Supplemental Act, 2000 (Div. B, P.L. 106-246), as amended; to the Committee on Armed Services.

1816. A letter from the Special Inspector General, Office of the Special Inspector General For The Troubled Asset Relief Program, transmitting the Office's quarterly report on the actions undertaken by the Department of the Treasury under the Troubled Asset Relief Program, the activities of SIGTARP, and SIGTARP'S recommendations with respect to operations of TARP; to the Committee on Financial Services.

1817. A letter from the Acting Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received May 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

1818. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Approval of Revisions to the Knox County Portion [EPA-R04-OAR-2008-0676-200820 (a); FRL-8903-6] received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1819. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2009-0020; FRL-8410-3] received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1820. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Texas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2008-0755-; FRL-8901-1] received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1821. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Scranton, Pennsylvania) [MB Docket No.: 08-244 RM-11507] received April 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1822. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

1823. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's report for the period January 16, 2008 to January 15, 2009 on the activities of the Multinational Force and Observers (MFO) and U.S. participation in that organization, pursuant to Public Law 97-132, section 6; to the Committee on Foreign Affairs.

1824. A letter from the Associate Director, PP&I, Department of the Treasury, transmitting the Department's final rule — Terrorism List Governments Sanctions Regulations — received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1825. A letter from the Acting Director, Executive Office of the President Office of National Drug Control Policy, transmitting the Office's report on the actions taken in response to the fiscal year 2008 study completed by an independent Panel of the National Academy of Public Administration (NAPA); to the Committee on Oversight and Government Reform.

1826. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [PA-148-FOR; OSM-2008-0014] received May 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1827. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel by Vessels in the Amendment 80 Limited Access Fishery in the Eastern Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XN52) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1828. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XM99) received March 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1829. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 071106673-8011-02] (RIN: 0648-XM95) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1830. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 071106671-8010-02] (RIN: 0648-XM94) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1831. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries in the Western Pacific; Western Pacific Crustacean Fisheries; 2009 Northwestern Hawaiian Islands Lobster Harvest Guideline (RIN: 0648-XN05) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1832. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No.: 071106671-8010-02] (RIN: 0648-XN09) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1833. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Civil Money Penalties: Certain Prohibited Conduct; Technical Amendment [Docket No.: FR-5081-C-04] (RIN: 2501-AD23) received April 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1834. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Death Valley, CA [Docket No.: FAA-2008-0137; Airspace Docket No. 08-AWP-2] received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1835. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes [Docket No.: FAA-2009-0124 Directorate Identifier 2009-CE-004-AD; Amendment 39-15882; AD 2009-08-09] (RIN: 2120-AA64) received April 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1836. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. ALF502L-2 and ALF502L-2C Turbofan Engines [Docket No.: FAA-2008-1207; Directorate Identifier 2007-NE-47-AD; Amendment 39-15880; AD 2009-08-07] (RIN: 2120-AA64) received April 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1837. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Safety Zones; Northeast Gateway Deepwater Port, Atlantic Ocean, MA and Security Zone; Liquefied Natural Gas Carriers, Massachusetts Bay, MA [Docket Nos.: USCG-2008-0372 and USCG-2008-0301] (RIN: 1625-AA00 and RIN: 1625-AA87) received May 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1838. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 1274.—-Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Also Sections 42, 280G, 382, 412, 467, 468, 482, 483, 642, 807, 846, 1288, 7520, 7872.) (Rev. Rul. 2009-12) received April 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1839. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Section 3401(h).-Differential Wage Payments to Active Duty Members of the Uniformed Services (Also Section 3121(a), 3306(b)) (Rev. Rul. 2009-11) received April 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1840. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report on the administration of the Surface Transportation Project Delivery Pilot Program, pursuant to Section 6005(a) of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users; jointly to the Committees on Transportation and Infrastructure 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:

[Omitted from the Record of May 12, 2009]

Mr. POLIS: Committee on Rules. House Resolution 427. Resolution providing for consideration of the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes (Rept. 111–106). Referred to the House Calendar.

[Submitted May 14, 2009]

Mr. RAHALL: Committee on Natural Resources. H.R. 689. A bill to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes; with an amendment (Rept. 111–108). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 1170. A bill to amend chapter 21 of title 38, United States Code, to establish a grant program to encourage the development of new assistive technologies for specially adapted housing; with an amendment (Rept. 111–109). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 1088. A bill to amend title 38, United States Code, to provide for a one-year period for the training of new disabled veterans' outreach program specialists and local veterans' employment representatives by National Veterans' Employment and Training Services Institute (Rept. 111–110). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 1089. A bill to amend title 38, United States Code, to provide for the enforcement through the Office of Special Counsel of the employment and unemployment rights of veterans and members of the Armed Forces employed by Federal executive agencies, and for other purposes; with amendments (Rept. 111–111). Referred to the Committee of the Whole House on the State of the Union.

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. WILSON of Ohio:

H.R. 2403. A bill to provide loan forgiveness to teachers of integrated career and technical education coursework at rural secondary schools; to the Committee on Education and Labor.

By Mr. MCGOVERN (for himself, Mr. JONES, Ms. EDWARDS of Maryland, Mr. DUNCAN, Mr. TIERNEY, Mr. PAUL, Mr. SESTAK, Mr. WHITFIELD, Mr. BERRY, Mr. ROHRABACHER, Ms. SCHAKOWSKY, Mr. BARTLETT, Mr. PAYNE, Ms. SHEA-PORTER, Mr. HINCHEY, Mr. OLVER, Ms. WOOLSEY, Mr. COHEN, Mr. HARE, Ms. KILPATRICK of Michigan, Mr. ELLISON, Mr. KUCINICH, Mr. MCDERMOTT, Mr. DEFAZIO, Mr. GRIJALVA, Mr. FATTAH, Ms. WATSON, Ms. CLARKE, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Mr. SERRANO, Mr. FILNER, Mr. WELCH, Ms. BALDWIN, Mr. HODES, Mr. RYAN of Ohio, Mr. DELAHUNT, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Ms. KAPTUR, Ms. PINGREE of Maine, Mr. CONYERS, Mr. WALZ, Ms. LEE of California, Mr. CLAY, Mr. HOLT, Mr. CAPUANO, Ms. TSONGAS, Mr. RUSH, Ms. SUTTON, Ms. WATERS, Mr. GRAYSON, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Mr. TOWNS, Ms. NORTON, Ms. RICHARDSON, Ms. MOORE of Wisconsin, Ms. CORRINE BROWN of Florida, Mr. ROTHMAN of New Jersey, Ms. VELÁZQUEZ, Mr. JACKSON of Illinois, Ms. MATSUI, Mr. THOMPSON of California, Mr. KAGEN, Mr. DOGGETT, Mr. SCHRADER, Mr. OBERSTAR, Mr. FARR, Mr. BRALEY of Iowa, Mr. COSTELLO, Mr. PERRIELLO, Mr. POLIS, Ms. BERKLEY, and Ms. KILROY):

H.R. 2404. A bill to require the Secretary of Defense to submit a report to Congress outlining the United States exit strategy for United States military forces in Afghanistan participating in Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. LATHAM (for himself, Mr. MCCOTTER, and Mr. MILLER of Florida):

H.R. 2405. A bill to amend title 38, United States Code, to provide veterans enrolled in the health system of the Department of Veterans Affairs the option of receiving covered health services through facilities other than those of the Department; to the Committee on Veterans' Affairs.

By Mrs. BLACKBURN (for herself, Mr. BILBRAY, Mr. HELLER, Mr. ROYCE, Mr. AKIN, Mr. SIMPSON, Mr. BROWN of South Carolina, Mr. ROHRABACHER, Mr. BROUN of Georgia, Mr. MARCHANT, Mr. ROGERS of Michigan, Mr. FRANKS of Arizona, Mr. PENCE, Mr. COLE, Mr. LAMBORN, Mr. PITTS, Mr. MCCLINTOCK, Mr. FLEMING, Ms. GINNY BROWN-WAITE of Florida, and Mr. PRICE of Georgia):

H.R. 2406. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. GORDON of Tennessee:

H.R. 2407. A bill to establish a National Climate Service at the National Oceanic and Atmospheric Administration; to the Committee on Science and Technology.

By Mrs. CAPPS (for herself, Mr. EHLERS, Mr. HINCHEY, Mr. MASSA, Mr. MCGOVERN, Mr. MOORE of Kansas, Mr. MURPHY of Connecticut, Ms. LINDA T. SÁNCHEZ of California, Mr. STEARNS, and Mr. TONKO):

H.R. 2408. A bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERSON (for himself, Mr. LUCAS, Mr. HOLDEN, Mr. GOODLATTE, Mr. MCINTYRE, Mr. ROGERS of Alabama, Mr. BOSWELL, Mr. CONAWAY, Mr. BACA, Mrs. SCHMIDT, Mr. CARDOZA, Mr. SMITH of Nebraska, Mr. SCOTT of Georgia, Mr. LATTA, Mr. MARSHALL, Mr. MORAN of Kansas, Ms. HERSETH SANDLIN, Mr. GRAVES, Mr. CUELLAR, Mr. COSTA, Mr. LUETKEMEYER, Mr. ELLSWORTH, Mr. WALZ, Mr. KAGEN, Mr. SCHRADER, Mrs. HALVORSON, Mrs. DAHLKEMPER, Mr. MASSA, Mr. BRIGHT, Ms. MARKEY of Colorado, Mr. KRATOVIL, Mr. SCHAUER, Mr. KISSELL, Mr. BOCCIERI, Mr. MURPHY of New York, Mr. POMEROY, Mr. CHILDERS, Mr. MINNICK, Mr. LATHAM, Mr. BERRY, Mr. SALAZAR, and Mr. BOYD):

H.R. 2409. A bill to amend section 211(o) of the Clean Air Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BERMAN:

H.R. 2410. A bill to authorize appropriations for the Department of State and the Peace Corps for fiscal years 2010 and 2011, to modernize the Foreign Service, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DANIEL E. LUNGREN of California:

H.R. 2411. A bill to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union; to the Committee on House Administration.

By Ms. HIRONO (for herself, Mr. ABERCROMBIE, Mr. FILNER, Mr. HONDA, Mr. FALEOMAVAEGA, Ms. BORDALLO, Mrs. MALONEY, and Mr. FARR):

H.R. 2412. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas; to the Committee on the Judiciary.

By Mr. DOYLE (for himself, Mr. SMITH of New Jersey, Mr. ENGEL, and Mr. JOHNSON of Georgia):

H.R. 2413. A bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself, Mr. PUTNAM, Mr. PETERSON, Mr. RYAN of Wisconsin, Mr. BOYD, Mr. RADANOVICH, Mr. COSTA, Mr. MCHUGH, Mr. BISHOP of Georgia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CUELLAR, Mr. LEE of New York, Mr. THOMPSON of California, Mr. MARIO DIAZ-BALART of Florida, Mr. PERRIELLO, Mr. REHBERG, Mr. MASSA, Mr. GUTIERREZ, Mr. GRIJALVA, Mr. FARR, Ms. ZOE LOFGREN of California, Mr. SABLAN, Mr. CARDOZA, Mr. HASTINGS of Florida, Mr. FLAKE, Mr. NUNES, and Ms. ROS-LEHTINEN):

H.R. 2414. A bill to improve agricultural job opportunities, benefits, and security for aliens in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ADLER of New Jersey (for himself and Mr. LANCE):

H.R. 2415. A bill to require the Federal Government to use purchases of goods or services through the Federal supply schedules for the purpose of meeting certain contracting goals for participation by small business concerns owned and controlled by service-disabled veterans; to the Committee on Oversight and Government Reform.

By Mr. ADLER of New Jersey (for himself and Mr. LANCE):

H.R. 2416. A bill to require the Department of Veterans Affairs to use purchases of goods or services through the Federal supply schedules for the purpose of meeting certain contracting goals for participation by small business concerns owned and controlled by veterans, including veterans with service-connected disabilities; to the Committee on Veterans' Affairs, 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. ARCURI (for himself, Mrs. LOWEY, Mr. MINNICK, Mr. KENNEDY, Mr. HASTINGS of Florida, Mr. POLIS, and Ms. MATSUI):

H.R. 2417. A bill to amend title II of the Social Security Act to preclude use of the social security account number on Government-issued identification cards issued in connection with benefits under Medicare, Medicaid, and CHIP, and for other purposes; 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. BACA:

H.R. 2418. A bill to provide Federal coordination and assistance in preventing gang violence; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York (for himself and Ms. SHEA-PORTER):

H.R. 2419. A bill to require the Secretary of Defense to establish a medical surveillance system to identify members of the Armed Forces exposed to chemical hazards resulting from the disposal of waste in Iraq and Afghanistan, to prohibit the disposal of waste by the Armed Forces in a manner that would produce dangerous levels of toxins, and for other purposes; to the Committee on Armed Services.

By Mr. BURGESS:

H.R. 2420. A bill to amend the Toxic Substances Control Act of 1976 to ensure a uniform Federal scheme of regulation of restrictions in the use of certain substances in electrical products and equipment in interstate and foreign commerce, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAPITO (for herself, Mr. ADERHOLT, Mr. AUSTRIA, Mrs. BACHMANN, Ms. BEAN, Mr. BERMAN, Mrs. BIGGERT, Mr. BILBRAY, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mrs. BLACKBURN, Mr. BLUNT, Mrs. BONO MACK, Ms. BORDALLO, Mr. BOSWELL, Mr. BRADY of Texas, Mr. BROUN of Georgia, Ms. CORRINE BROWN of Florida, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CARTER, Mr. CASTLE, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. COBLE, Mr. CONNOLLY of Virginia, Mr. COSTA, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DREIER, Mr. DUNCAN, Mr. ETHERIDGE, Ms. FALLIN, Mr. FILNER, Mr. FOSTER, Mr. FRELINGHUYSEN, Mr. GERLACH, Mr. GINGREY of Georgia, Mr. GRIJALVA, Mr. HALL of New York, Mr. HALL of Texas, Mr. HENSARLING, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Ms. JENKINS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Ms. KAPTUR, Mr. KENNEDY, Ms. KILPATRICK of Michigan, Mr. KIRK, Mr. LATTA, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. LUETKEMEYER, Mrs. MALONEY, Mr. MANZULLO, Mr. MARCHANT, Mr. MASSA, Mr. MCCAUL, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCMAHON, Mrs. MCMORRIS RODGERS, Mr. MEEKS of New York, Mrs. MILLER of Michigan, Mr. MINNICK, Mr. MORAN of Virginia, Mr. MORAN of Kansas, Mr. MURTHA, Mrs. MYRICK, Ms. NORTON, Mr. NUNES, Mr. PALLONE, Mr. PUTNAM, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mrs. SCHMIDT, Ms. SCHWARTZ, Mr. SESTAK, Ms. SHEA-PORTER, Mr. SHULER, Mr. SHUSTER, Mr. SMITH of New Jersey, Ms. SPEIER, Ms. SUTTON, Mrs. TAUSCHER, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. TOWNS, Mr. TURNER, Ms. WASSERMAN SCHULTZ, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WOLF, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. BARTLETT, Mr. CALVERT, Ms. ROS-LEHTINEN, Mr. RAHALL, Mr. ROHRABACHER, Ms. SLAUGHTER, and Ms. BALDWIN):

H.R. 2421. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Financial Services.

By Mr. CARTER (for himself, Mr. BURGESS, Mr. CONAWAY, Mr. EDWARDS of Texas, Mr. HINOJOSA, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. MCCAUL, Mr. SESSIONS, Mr. REYES,

Mr. OLSON, Mr. NEUGEBAUER, Mr. SMITH of Texas, Mr. BRADY of Texas, Ms. GRANGER, and Mr. GOHMERT):

H.R. 2422. A bill to designate the facility of the United States Postal Service located at 702 East University Avenue in Georgetown, Texas, as the ''Kyle G. West Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. CUELLAR (for himself, Ms. JACKSON-LEE of Texas, and Mr. MCCAUL):

H.R. 2423. A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ''George P. Kazen Federal Building and United States Courthouse'', and to designate the jury room in that Federal building and United States courthouse as the ''Marcel C. Notzon II Jury Room''; to the Committee on Transportation and Infrastructure.

By Mr. KUCINICH (for himself, Mr. TOWNS, Mr. ISSA, and Mr. JORDAN of Ohio):

H.R. 2424. A bill to amend title 31, United States Code, to authorize reviews by the Comptroller General of the United States of any credit facility established by the Board of Governors of the Federal Reserve System or any Federal reserve bank during the current financial crisis, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. DEGETTE (for herself, Mr. CASTLE, Mr. KIRK, Mr. BECERRA, and Mr. SPACE):

H.R. 2425. A bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of 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 Ms. DELAURO (for herself, Mr. WAXMAN, Mr. GEORGE MILLER of California, Ms. ESHOO, Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. BRALEY of Iowa, Mr. ENGEL, Mr. HINCHEY, Mr. FILNER, Mr. SARBANES, Ms. WOOLSEY, Mrs. CAPPS, Ms. KAPTUR, Ms. WATSON, Mr. CUMMINGS, Mr. KIND, Mr. GENE GREEN of Texas, Ms. MCCOLLUM, Ms. LEE of California, Ms. SUTTON, Mr. MORAN of Virginia, Mr. BLUMENAUER, Mr. GRIJALVA, Mr. BRADY of Pennsylvania, Ms. CASTOR of Florida, Mr. COURTNEY, Mr. DELAHUNT, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. LARSON of Connecticut, Ms. MATSUI, Mr. MCDERMOTT, Ms. ZOE LOFGREN of California, and Mr. MURPHY of Connecticut):

H.R. 2426. A bill to amend the Federal Food, Drug, and Cosmetic Act to extend the food labeling requirements of the Nutrition Labeling and Education Act of 1990 to enable customers to make informed choices about the nutritional content of standard menu items in large chain restaurants; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Ms. SCHWARTZ, Ms. SCHAKOWSKY, Mr. LIPINSKI, Mrs. CHRISTENSEN, Mrs. CAPPS, Mr. MCGOVERN, Mr. COURTNEY, Mr. BLUMENAUER, Mr. BERMAN, Mr. DELAHUNT, and Mrs. LOWEY):

H.R. 2427. A bill to amend title XXVII of the Public Health Service Act to establish Federal standards for health insurance forms, quality, fair marketing, and honesty in out-of-network coverage in the group and individual health insurance markets, to improve transparency and accountability in those markets, and to establish a Federal Office of Health Insurance Oversight to monitor performance in those markets, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, 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 Ms. ESHOO (for herself, Mr. WAXMAN, Mr. BOUCHER, and Mr. MARKEY of Massachusetts):

H.R. 2428. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduit be installed as part of certain highway construction projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GONZALEZ (for himself, Mr. JONES, Mr. GEORGE MILLER of California, Mr. ALTMIRE, Mr. WEXLER, Mr. FILNER, Mr. GORDON of Tennessee, Ms. SCHAKOWSKY, Mr. GENE GREEN of Texas, Mr. KILDEE, and Mr. HINCHEY):

H.R. 2429. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security benefits under title II of the Social Security Act; 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. HASTINGS of Washington (for himself, Mr. LARSEN of Washington, Mr. DICKS, Mrs. MCMORRIS RODGERS, Mr. SMITH of Washington, and Mr. BAIRD):

H.R. 2430. A bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area; to the Committee on Natural Resources.

By Ms. KOSMAS:

H.R. 2431. A bill to amend the Internal Revenue Code of 1986 to extend and increase the deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Ms. KOSMAS:

H.R. 2432. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for State and local sales taxes; to the Committee on Ways and Means.

By Ms. KOSMAS:

H.R. 2433. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for State and local sales taxes; to the Committee on Ways and Means.

By Ms. KOSMAS:

H.R. 2434. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for qualified tuition and related expenses; to the Committee on Ways and Means.

By Ms. KOSMAS:

H.R. 2435. A bill to amend the Internal Revenue Code of 1986 to extend the tax-free treatment for distributions from individual retirement plans for charitable purposes; to the Committee on Ways and Means.

By Ms. KOSMAS:

H.R. 2436. A bill to amend the Internal Revenue Code of 1986 to extend the charitable contributions deduction for food inventory, book inventory, and computer technology and equipment; to the Committee on Ways and Means.

By Ms. KOSMAS:

H.R. 2437. A bill to amend the Internal Revenue Code of 1986 to extend the employer wage credit for employees who are active duty members of the uniformed services; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself and Mr. REICHERT):

H.R. 2438. A bill to amend the Internal Revenue Code of 1986 to provide a temporary bonus research credit for energy-related research; to the Committee on Ways and Means.

By Mr. LOBIONDO (for himself, Mr. FRELINGHUYSEN, Mr. LANCE, and Mr. SMITH of New Jersey):

H.R. 2439. A bill to prohibit the Secretary of the Interior from issuing oil and gas leases on portions of the Outer Continental Shelf located off the coast of New Jersey; to the Committee on Natural Resources.

By Mr. MCCARTHY of California (for himself, Mr. FLEMING, and Mr. POSEY):

H.R. 2440. A bill to amend title XI of the Social Security Act to provide that annual Social Security account statements indicate, in estimating the level of projected benefits of eligible individuals, the effect on such benefits levels of benefit reductions which may be necessary, in the absence of future legislative remedies, by reason of anticipated insolvency of the Social Security Trust Funds; to the Committee on Ways and Means.

By Mr. MELANCON:

H.R. 2441. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes; to the Committee on the Judiciary, 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. GEORGE MILLER of California (for himself, Ms. ESHOO, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. MCNERNEY, Ms. SPEIER, Mr. STARK, Mrs. TAUSCHER, and Ms. WOOLSEY):

H.R. 2442. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes; to the Committee on Natural Resources.

By Mr. NEAL of Massachusetts:

H.R. 2443. A bill to amend title XVIII of the Social Security Act to preserve access to ambulance services 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 Ms. NORTON:

H.R. 2444. A bill to amend title 23, United States Code, to make the funding available for carrying out section 140 of title 23 mandatory instead of discretionary; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.R. 2445. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income discharges of personal indebtedness outside of bankruptcy; to the Committee on Ways and Means.

By Mr. POMEROY (for himself and Mr. GRAVES):

H.R. 2446. A bill to amend the small rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary

Education Act of 1965; to the Committee on Education and Labor.

By Mr. POMEROY (for himself and Mr. BRADY of Texas):

H.R. 2447. A bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organizations; to the Committee on Ways and Means.

By Mr. STUPAK (for himself, Mr. DOYLE, Mr. INSLEE, Mr. VAN HOLLEN, Mr. BISHOP of New York, Mr. CARNEY, Mr. LARSON of Connecticut, Mr. WILSON of Ohio, Ms. SLAUGHTER, Mr. GENE GREEN of Texas, Ms. KILPATRICK of Michigan, and Mr. MCHUGH):

H.R. 2448. A bill to provide for regulation of futures transactions involving energy commodities, to regulate credit default swaps, to strengthen the enforcement authorities of the Federal Energy Regulatory Commission under the Natural Gas Act, Natural Gas Policy Act of 1978, and the Federal Power Act, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER (for himself and Mr. DANIEL E. LUNGREN of California):

H.R. 2449. A bill to amend title 18, United States Code, to prohibit fraud and related activity in connection with purchases of certain wireless prepaid access devices; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. ENGEL, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. MEEK of Florida, Mr. RANGEL, Mr. BURTON of Indiana, Mr. LEWIS of Georgia, Mr. CROWLEY, Mr. COHEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SIRES, Ms. BORDALLO, and Mrs. MALONEY):

H. Con. Res. 127. Concurrent resolution recognizing the significance of National Caribbean-American Heritage Month; to the Committee on Oversight and Government Reform.

By Mrs. NAPOLITANO (for herself, Mr. ABERCROMBIE, Mr. ARCURI, Mr. BACA, Ms. BALDWIN, Mrs. BONO MACK, Ms. BORDALLO, Mr. BOSWELL, Mr. BRALEY of Iowa, Ms. CORRINE BROWN of Florida, Mr. BUYER, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. COSTELLO, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Mr. DOGGETT, Mr. DOYLE, Mr. DREIER, Ms. EDWARDS of Maryland, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FILNER, Ms. GIFFORDS, Mr. GONZALEZ, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HERSETH SANDLIN, Mr. HINCHEY, Mr. HINOJOSA, Mr. HODES, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. KIND, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Mr. MATHESON, Ms. MATSUI, Mr. MCDERMOTT, Mr. MCGOVERN, Mrs. MCMORRIS RODGERS, Mr. MEEKS of New York, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mr. MITCHELL, Mr. MOORE of Kansas, Mr. MURPHY of Connecticut, Mr. TIM MURPHY of Pennsylvania, Mr. NEAL of Massachusetts, Mr. NUNES, Mr. OBERSTAR, Mr. ORTIZ, Mr. PERLMUTTER, Mr. RADANOVICH, Mr. RANGEL, Mr. REYES, Ms. RICHARDSON, Mr. RODRIGUEZ, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SALAZAR, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SESTAK, Mr. SHERMAN, Mr. SHULER, Mr. SIRES, Ms. SLAUGHTER, Mr. SPACE, Mr. STARK, Mr. SULLIVAN, Mrs. TAUSCHER, Mr. TOWNS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Mr. WILSON of South Carolina, Ms. WOOLSEY, Mr. WU, Mrs. LUMMIS, Mr. SHUSTER, Mr. CUELLAR, Mr. PALLONE, and Mr. SABLAN):

H. Res. 437. A resolution supporting the goals and ideals of Mental Health Month; to the Committee on Energy and Commerce.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. CALVERT, Mr. SNYDER, Ms. HARMAN, Mr. BARROW, Mr. STUPAK, Mr. GRAYSON, Ms. CORRINE BROWN of Florida, Ms. BERKLEY, Ms. MARKEY of Colorado, Mrs. DAHLKEMPER, Mr. FILNER, Mr. BRIGHT, Ms. ESHOO, Mr. BOSWELL, Mr. ETHERIDGE, Mr. DAVIS of Tennessee, Mr. ELLSWORTH, Mr. SHULER, Mr. DONNELLY of Indiana, Mr. ROSS, Mrs. SCHMIDT, Ms. WASSERMAN SCHULTZ, Mr. LATHAM, Mr. RAHALL, Mrs. CAPITO, Mr. SMITH of New Jersey, Mr. LEWIS of California, Mr. MCCARTHY of California, Mr. YOUNG of Alaska, Mr. INGLIS, Mrs. MYRICK, Mr. CAO, Ms. WATSON, Mr. MCCLINTOCK, Mr. BOREN, Mr. ROYCE, Mr. BILBRAY, Ms. GRANGER, Mr. CHAFFETZ, Mr. FRELINGHUYSEN, Mr. YOUNG of Florida, Mr. GEORGE MILLER of California, Mr. MILLER of Florida, Mr. FORBES, Mr. BOOZMAN, Mr. AKIN, Mr. WOLF, Mr. FARR, Mr. PRICE of North Carolina, Mr. HALL of Texas, Mr. WHITFIELD, Mr. KINGSTON, Mr. GARY G. MILLER of California, Mr. LATOURETTE, Mr. MCKEON, Mr. HUNTER, Mr. DEAL of Georgia, Mr. EHLERS, Mr. GALLEGLY, Mr. ROHRABACHER, Mr. MACK, Mr. GRIJALVA, Mrs. BONO MACK, Mr. KENNEDY, Mr. SESTAK, Ms. BORDALLO, Mr. MCDERMOTT, Mr. ISSA, Ms. JACKSON-LEE of Texas, and Mr. ROGERS of Alabama):

H. Res. 438. A resolution expressing support for designation of September as ''National Child Awareness Month''; to the Committee on Education and Labor.

By Ms. BORDALLO (for herself, Mr. HONDA, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Ms. LEE of California, Mr. WU, Mr. GRIJALVA, Mr. AL GREEN of Texas, Ms. MATSUI, Ms. HIRONO, Mr. CAO, and Mr. SABLAN):

H. Res. 439. A resolution supporting the goals and ideals of National Asian American and Pacific Islander HIV/AIDS Awareness Day; to the Committee on Energy and Commerce.

By Mr. CASSIDY (for himself and Ms. SPEIER):

H. Res. 440. A resolution amending the Rules of the House of Representatives to strengthen the public disclosure of all earmark requests; to the Committee on Rules, and in addition to the Committee on Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H. Res. 441. A resolution honoring the historical contributions of Catholic sisters in the United States; to the Committee on Oversight and Government Reform.

By Mr. GEORGE MILLER of California (for himself, Mrs. MCCARTHY of New York, Ms. WOOLSEY, Ms. CLARKE, Mr. TONKO, and Mr. POLIS):

H. Res. 442. A resolution recognizing the importance of the Child and Adult Care Food Program and its positive effect on the lives of low income children and families; to the Committee on Education and Labor.

By Ms. MOORE of Wisconsin (for herself, Mr. CONNOLLY of Virginia, Ms. CLARKE, Mr. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. MCDERMOTT, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK of Michigan, Mrs. CAPPS, Mr. KAGEN, and Mr. EDWARDS of Texas):

H. Res. 443. A resolution expressing the support of the House of Representatives for members of the Armed Forces and veterans with post-traumatic stress disorder and their families and urging the Secretary of Veterans Affairs and the Secretary of Defense to improve the services and support available to such members, veterans, and families; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH (for himself, Mrs. MILLER of Michigan, Mr. RYAN of Ohio, and Mr. LATOURETTE):

H. Res. 444. A resolution expressing the Sense of Congress that the United States needs an industrial policy with regard to automobile, aerospace, shipping, and steel industries, which are vital to national and economic security; to the Committee on Energy and Commerce.

By Mr. OLSON:

H. Res. 445. A resolution recognizing 100 years of military aviation and expressing continued support for military aviators of the United States Armed Forces; to the Committee on Armed Services.

By Mr. SENSENBRENNER:

H. Res. 446. A resolution of inquiry requesting the President and directing the Administrator of the Environmental Protection Agency and the Director of the Office of Management and Budget to provide certain documents to the House of Representatives relating to the Environmental Protection Agency's April proposed finding that greenhouse gas emissions are a danger to public health and welfare; to the Committee on Energy and Commerce.

By Mr. SHULER (for himself and Mr. BOOZMAN):

H. Res. 447. A resolution recognizing the remarkable contributions of the American Council of Engineering Companies for its 100 years of service to the engineering industry and the Nation; to the Committee on Science and Technology.

By Mr. THOMPSON of California (for himself, Mr. GEORGE MILLER of California, Ms. MATSUI, Ms. SPEIER, Mrs. NAPOLITANO, Mr. DANIEL E. LUNGREN of California, Mr. CARDOZA, Ms. ROYBAL-ALLARD, Mr. STARK, Mr. LEWIS of California, Mr. FILNER, Mr. BACA, Ms. LEE of California, Mr. NUNES, Mr. ROHRABACHER, Mr. CALVERT, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, Mrs. CAPPS, Mr. BERMAN, Mrs. TAUSCHER, Mr. HONDA, Mr. SCHIFF, Mr. BILBRAY, Mr. ISSA, Ms. ESHOO, Mrs. BONO MACK, and Mr. MCNERNEY):

H. Res. 448. A resolution congratulating the University of California, Davis, for a century as a premier public research university and one of our Nation's finest institutions of higher education; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

45. The SPEAKER presented a memorial of the State Legislature of Maine, relative to H.P. 1009 joint resolution memorializing the United States Congress to amend the Federal order system to ensure that Maine dairy farmers will receive a sustainable price for their milk; to the Committee on Agriculture.

46. Also, a memorial of the State Legislature of Maine, relative to H.P. 825, joint resolution memorializing the President of the United States, the United States Congress and the United States environmental protection agency to support the waiver California needs to achieve greenhouse gas reductions; to the Committee on Energy and Commerce.

47. Also, a memorial of the State Legislature of Maine, relative to a joint resolution memorializing the President of the United States and the United States Congress to support the recommendations of the commission to protect the lives and health of members of the Maine National Guard; jointly to the Committees on Armed Services, Veterans' Affairs, and Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. BOOZMAN, Mr. VAN HOLLEN, Mr. QUIGLEY, Mr. BERMAN, Mr. MCDERMOTT, Mr. MARCHANT, Mrs. CAPITO, Mr. DICKS, Mr. BOUCHER, Mr. POMEROY, Mr. JOHNSON of Illinois, Mr. LATOURETTE, Mr. MEEKS of New York, Mr. CHAFFETZ, and Mr. GARY G. MILLER of California.

H.R. 25: Mr. BOREN.

H.R. 111: Mr. MURPHY of Connecticut.

H.R. 179: Mr. HINOJOSA and Mr. HIGGINS.

H.R. 197: Mr. CULBERSON, Mr. SALAZAR, and Mr. MICHAUD.

H.R. 205: Mr. LUETKEMEYER.

H.R. 240: Mr. SENSENBRENNER.

H.R. 268: Mr. MCCOTTER.

H.R. 270: Mr. MCINTYRE.

H.R. 329: Mr. WAXMAN and Mr. MCGOVERN.

H.R. 442: Mr. PETRI, Mr. DAVIS of Kentucky, Mr. COURTNEY, Mr. BILIRAKIS, Mr. SALAZAR, Mr. MICHAUD, Mr. CULBERSON, Mr. FLEMING, and Mr. KAGEN.

H.R. 490: Mr. REHBERG.

H.R. 557: Mr. ROE of Tennessee, Mr. LANCE, and Mr. REHBERG.

H.R. 571: Mr. COLE and Mr. PAUL.

H.R. 574: Mr. CAPUANO and Mrs. MALONEY.

H.R. 621: Mr. MURTHA, Mr. COBLE, and Mr. CAPUANO.

H.R. 644: Mr. CONNOLLY of Virginia, Mr. LANCE, Ms. LEE of California, Ms. ZOE LOFGREN of California, and Mr. MARKEY of Massachusetts.

H.R. 653: Ms. ROS-LEHTINEN.

H.R. 705: Mr. SCHIFF.

H.R. 745: Mr. FLEMING.

H.R. 836: Ms. KILPATRICK of Michigan, Mr. MASSA, Mr. ROSKAM, and Mr. LANCE.

H.R. 864: Mr. WALZ.

H.R. 870: Ms. CASTOR of Florida.

H.R. 874: Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, and Mr. RAHALL.

H.R. 914: Mr. YOUNG of Alaska.

H.R. 977: Mr. HIGGINS and Mr. ANDREWS.

H.R. 981: Mr. STARK.

H.R. 995: Mr. KILDEE, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. HINCHEY, and Mr. BERMAN.

H.R. 1016: Mr. CUMMINGS and Mr. SIRES.

H.R. 1021: Mr. BISHOP of Utah.

H.R. 1024: Mr. MCMAHON.

H.R. 1064: Mr. BISHOP of New York, Ms. SLAUGHTER, Mr. WEXLER, and Mr. BOUCHER.

H.R. 1066: Mr. FILNER, Mr. SIRES, Mr. KILDEE, and Mr. CROWLEY.

H.R. 1095: Mr. KUCINICH.

H.R. 1132: Mr. LOEBSACK, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. WU, and Mr. HASTINGS of Washington.

H.R. 1147: Ms. VELÁZQUEZ.

H.R. 1179: Mr. SARBANES and Mr. HOYER.

H.R. 1182: Ms. KILPATRICK of Michigan and Ms. JACKSON-LEE of Texas.

H.R. 1191: Mr. FATTAH, Mr. HOLT, and Mr. PRICE of North Carolina.

H.R. 1204: Mr. WALDEN, Mr. KISSELL, and Mrs. MCMORRIS RODGERS.

H.R. 1206: Mr. COBLE, Mr. LANCE, and Mr. REHBERG.

H.R. 1207: Mr. ORTIZ, Mr. RYAN of Wisconsin, and Mr. WHITFIELD.

H.R. 1208: Mrs. CAPITO, Mr. MARIO DIAZ-BALART of Florida, Mr. LUCAS, Mr. WITTMAN, Mr. FRELINGHUYSEN, Mr. FLEMING, Mr. LANCE, Mr. ADERHOLT, Mr. HELLER, Mr. YOUNG of Alaska, and Mr. PAULSEN.

H.R. 1242: Mr. CROWLEY, Mr. ROGERS of Kentucky, and Mr. GENE GREEN of Texas.

H.R. 1249: Mr. HOLT.

H.R. 1250: Mr. KLINE of Minnesota.

H.R. 1277: Mr. TIAHRT, Mr. GARRETT of New Jersey, Mr. ALEXANDER, and Mrs. MCMORRIS RODGERS.

H.R. 1329: Mr. PRICE of North Carolina.

H.R. 1352: Ms. JENKINS.

H.R. 1378: Mr. HOLT and Mr. MARKEY of Massachusetts.

H.R. 1392: Mr. SHIMKUS and Mr. KIND.

H.R. 1410: Mr. DEFAZIO.

H.R. 1428: Mr. GOODLATTE.

H.R. 1430: Mr. KIND.

H.R. 1521: Mr. WESTMORELAND, Mr. COLE, Mr. GRAVES, Mr. PETERSON, Mr. MCCARTHY of California, and Mrs. MALONEY.

H.R. 1522: Mr. DELAHUNT.

H.R. 1523: Mrs. LOWEY.

H.R. 1547: Mr. SCHOCK.

H.R. 1551: Mr. SERRANO, Mr. PRICE of North Carolina, and Mr. SESTAK.

H.R. 1558: Mr. CARNAHAN, Mr. FILNER, Ms. WOOLSEY, and Mrs. KIRKPATRICK of Arizona.

H.R. 1589: Ms. BERKLEY, Mr. WEXLER, Mr. ELLISON, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. ISRAEL, and Mr. CUMMINGS.

H.R. 1600: Mr. FLEMING.

H.R. 1604: Mr. ARCURI, Mr. CLAY, and Mr. COURTNEY.

H.R. 1612: Ms. LEE of California, Mr. BERMAN, Mr. WALZ, and Mr. MASSA.

H.R. 1616: Mr. DELAHUNT, Mr. CARNAHAN, Mr. ISRAEL, and Mr. FRANK of Massachusetts.

H.R. 1618: Mr. MCNERNEY.

H.R. 1621: Mr. BARTON of Texas.

H.R. 1625: Mr. WALDEN, Mr. LARSON of Connecticut, and Mr. DAVIS of Kentucky.

H.R. 1677: Mr. ORTIZ, Ms. MOORE of Wisconsin, Mr. CLAY, and Mr. RAHALL.

H.R. 1678: Ms. JENKINS.

H.R. 1681: Mr. CONNOLLY of Virginia.

H.R. 1684: Mr. MICHAUD, Mr. BILIRAKIS, and Mr. CULBERSON.

H.R. 1691: Mr. LEE of New York.

H.R. 1701: Mrs. MALONEY, Mr. BISHOP of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NYE, Mr. WELCH, and Mr. KISSELL.

H.R. 1705: Mr. CAPUANO.

H.R. 1710: Mr. LATHAM, Mr. CARNAHAN, Mr. LEWIS of Georgia, Mr. WESTMORELAND, and Ms. BALDWIN.

H.R. 1723: Mr. GRAYSON.

H.R. 1740: Mr. RANGEL and Mr. SPRATT.

H.R. 1751: Mr. WAXMAN, Ms. DELAURO, and Mr. GEORGE MILLER of California.

H.R. 1763: Mrs. BLACKBURN, Mr. MARCHANT, Mr. PITTS, Mr. LUCAS, Mr. KLINE of Minnesota, Mr. BROUN of Georgia, Mr. BARTLETT, Mr. FLEMING, Ms. FALLIN, Mr. SULLIVAN, Mr. LUETKEMEYER, and Mr. MCCLINTOCK.

H.R. 1765: Mr. KIND.

H.R. 1774: Mrs. CAPPS.

H.R. 1815: Mr. CAMP, Mr. SCALISE and Mr. NUNES.

H.R. 1816: Mr. NADLER of New York.

H.R. 1829: Mr. WALDEN, Mr. WAMP, Mr. BARRETT of South Carolina, and Mr. ELLSWORTH.

H.R. 1836: Mr. SPACE.

H.R. 1869: Mr. MORAN of Kansas, Mr. LANGEVIN, and Ms. DEGETTE.

H.R. 1873: Mr. CARSON of Indiana.

H.R. 1881: Ms. DELAURO, Mr. RAHALL, Mr. DICKS, Mr. REYES, Ms. EDWARDS of Maryland, Mr. WAXMAN, Mr. JACKSON of Illinois, Mr. BERMAN, Mr. MOLLOHAN, Mrs. NAPOLITANO, Mr. TONKO, Ms. DEGETTE, Ms. TITUS, Mr. PASTOR of Arizona, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mrs. DAVIS of California, Mr. LARSON of Connecticut, Mr. VAN HOLLEN, Mr. WEXLER, Ms. MATSUI, Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. BECERRA, Mr. RYAN of Ohio, Mr. KLEIN of Florida, Ms. SLAUGHTER, Mr. SIRES, Mr. FATTAH, Mr. LOEBSACK, Mr. HODES, Mr. BLUMENAUER, Mr. DAVIS of Illinois, Ms. FUDGE, and Mr. MEEKS of New York.

H.R. 1894: Mr. ELLSWORTH, Mr. ROTHMAN of New Jersey, Mr. OBERSTAR, and Mr. WALZ.

H.R. 1912: Mrs. BONO MACK.

H.R. 1970: Mr. MORAN of Kansas, Mr. JONES, Mr. REHBERG, Mr. FLEMING, and Mr. BOSWELL.

H.R. 1980: Mr. ROGERS of Alabama.

H.R. 1981: Mr. CONAWAY.

H.R. 1990: Mr. MURTHA and Ms. HERSETH SANDLIN.

H.R. 1995: Mr. FRANK of Massachusetts and Mr. GENE GREEN of Texas.

H.R. 2014: Mr. DENT, Mr. BACA, Mr. COBLE, Mr. GRIJALVA, Mr. BOYD, Mr. RUSH, Mrs. NAPOLITANO, Mr. HINCHEY, and Mr. SOUDER.

H.R. 2027: Mr. BARTLETT and Ms. SHEA-PORTER.

H.R. 2030: Mr. SESTAK and Ms. WATSON.

H.R. 2057: Ms. BERKLEY, Ms. CORRINE BROWN of Florida, and Mr. CLAY.

H.R. 2061: Mr. TAYLOR, Mr. SHIMKUS, Mr. JONES, Mr. INGLIS, Mr. PENCE, and Mr. FLEMING.

H.R. 2069: Mr. SOUDER.

H.R. 2079: Mr. CARDOZA.

H.R. 2084: Mr. COURTNEY.

H.R. 2095: Mr. RANGEL and Mr. TOWNS.

H.R. 2098: Mr. CROWLEY.

H.R. 2099: Mr. SABLAN.

H.R. 2103: Mr. CARSON of Indiana and Mr. GEORGE MILLER of California.

H.R. 2105: Mr. MCINTYRE.

H.R. 2111: Mr. DEAL of Georgia.

H.R. 2124: Ms. JACKSON-LEE of Texas.

H.R. 2139: Mr. RANGEL, Ms. WATSON, Mr. HONDA, Mr. HINCHEY, Mr. PAYNE, Mr. MCGOVERN, Mr. FALEOMAVAEGA, and Mr. SNYDER.

H.R. 2149: Mrs. MCMORRIS RODGERS.

H.R. 2176: Mr. KIND.

H.R. 2216: Mr. EDWARDS of Texas.

H.R. 2222: Mr. BRADY of Pennsylvania, Mr. LUJAN, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. FATTAH.

H.R. 2227: Mr. BARRETT of South Carolina, Mr. PETERSON, Mr. GERLACH, Mrs. MYRICK, Mr. PLATTS, Mr. BURTON of Indiana, Mr. LATOURETTE, and Mr. BISHOP of Utah.

H.R. 2243: Mr. PASTOR of Arizona and Ms. GRANGER.

H.R. 2254: Mr. THORNBERRY.

H.R. 2262: Mrs. DAVIS of California, Ms. PINGREE of Maine, Ms. WASSERMAN SCHULTZ, Mr. PASCRELL, Mr. CARNEY, Mr. ISRAEL, Mr.

GRAYSON, Mr. BRADY of Pennsylvania, and Mr. ORTIZ.

H.R. 2266: Mr. PAUL, Ms. BERKLEY, Mr. GEORGE MILLER of California, Mr. BISHOP of New York, Mr. SCOTT of Virginia, and Mr. KING of New York.

H.R. 2267: Mr. GEORGE MILLER of California, Mr. BISHOP of New York, and Mr. SCOTT of Virginia.

H.R. 2269: Mr. FILNER.

H.R. 2275: Mr. CARNEY, Mr. GERLACH, Mr. HOLDEN, Mr. KANJORSKI, Mr. LOBIONDO, Mr. MITCHELL, and Mr. RYAN of Ohio.

H.R. 2277: Ms. TSONGAS.

H.R. 2279: Ms. SCHAKOWSKY.

H.R. 2294: Mr. JORDAN of Ohio, Mr. LEE of New York, Mr. ADERHOLT, Mr. CAMP, Mr. HELLER, Mr. BILIRAKIS, Mr. NUNES, Mr. ROGERS of Michigan, Mr. TURNER, Mr. TIM MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mr. TIBERI, Mr. BONNER, Mr. MICA, and Mrs. SCHMIDT.

H.R. 2296: Mr. PUTNAM, Mr. BILIRAKIS, Mr. SOUDER, Mr. BOREN, and Mr. BACHUS.

H.R. 2297: Mr. MORAN of Kansas.

H.R. 2300: Mr. SMITH of Texas, Mrs. MYRICK, Mr. BOUSTANY, Mr. HERGER, Mr. JORDAN of Ohio, Mr. MCHENRY, Mr. WAMP, Mr. AKIN, Mr. LUCAS, Mr. MANZULLO, and Mr. HARPER.

H.R. 2311: Mr. BOUSTANY.

H.R. 2313: Mr. BOUSTANY.

H.R. 2322: Ms. SHEA-PORTER.

H.R. 2325: Mr. BURGESS and Mr. GOHMERT.

H.R. 2329: Mr. MCINTYRE, Mr. FLEMING, Mr. SIMPSON, Mr. MCMAHON, Mr. Sablan, Mr. SCHRADER, Mr. BRIGHT, Mr. POSEY, Mr. CONNOLLY of Virginia, Mr. HARPER, and Ms. MATSUI.

H.R. 2338: Mr. SAM JOHNSON of Texas and Mr. HELLER.

H.R. 2345: Ms. KOSMAS, Mr. COURTNEY, and Mr. BURGESS.

H.R. 2350: Mr. CARNEY, Ms. EDWARDS of Maryland, Ms. RICHARDSON, Mr. GRIFFITH, Mrs. LOWEY, Mr. ENGEL, Mr. JACKSON of Illinois, Ms. ZOE LOFGREN of California, Mr. WELCH, and Mr. BISHOP of Georgia.

H.R. 2358: Mr. LEVIN.

H.R. 2360: Mr. SCHRADER, Ms. GIFFORDS, Mr. DONNELLY of Indiana, and Mr. TIBERI.

H.R. 2363: Mr. MCDERMOTT, Mr. BRADY of Pennsylvania, and Mr. TOWNS.

H.J. Res. 10: Ms. WOOLSEY.

H.J. Res. 47: Mr. MORAN of Kansas and Mr. FLEMING.

H.J. Res. 50: Mr. LATTA, Mr. CONAWAY, and Mrs. MCMORRIS RODGERS.

H. Con. Res. 28: Mr. KUCINICH, and Ms. LINDA T. SÁNCHEZ of California.

H. Con. Res. 49: Mr. RADANOVICH, Mr. KIRK, Mr. MCKEON, Mr. BRADY of Pennsylvania, Mr. ROE of Tennessee, Mr. SIRES, and Mr. DRIEHAUS.

H. Con. Res. 58: Ms. NORTON and Mr. SARBANES.

H. Con. Res. 102: Mr. MOORE of Kansas.

H. Con. Res. 105: Ms. CASTOR of Florida.

H. Con. Res. 106: Mr. DAVIS of Alabama and Mr. MINNICK.

H. Con. Res. 109: Mr. KRATOVIL, Mrs. MCMORRIS RODGERS, and Ms. SCHWARTZ.

H. Con. Res. 110: Mr. COURTNEY.

H. Con. Res. 117: Mr. PAUL and Mr. BRADY of Texas.

H. Con. Res. 118: Mr. NUNES.

H. Con. Res. 126: Ms. BORDALLO, Mr. CONNOLLY of Virginia, Ms. LEE of California, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. GRAYSON, Mr. SESTAK, Mr. MORAN of Virginia, and Ms. MATSUI.

H. Res. 42: Mr. COBLE.

H. Res. 81: Mr. EHLERS.

H. Res. 175: Mr. SMITH of New Jersey.

H. Res. 185: Mr. GUTIERREZ and Ms. MOORE of Wisconsin.

H. Res. 209: Mr. KENNEDY.

H. Res. 225: Mr. POSEY and Mr. PAULSEN.

H. Res. 259: Mr. MILLER of Florida, Ms. JENKINS, and Mr. OBERSTAR.

H. Res. 260: Ms. CASTOR of Florida.

H. Res. 311: Mr. MCCOTTER and Mrs. MILLER of Michigan.

H. Res. 314: Mr. BRALEY of Iowa, Mr. CALVERT, Mr. WILSON of Ohio, Mr. HOLDEN, Mr. COHEN, Mr. DREIER, Mr. WU, Mr. FILNER, Mr. SMITH of Texas, Mr. HILL, Mr. PALLONE, Mr. BISHOP of New York, and Mr. PASCRELL.

H. Res. 347: Mr. TEAGUE, Mr. DOGGETT, Ms. CASTOR of Florida, Mr. LUJÁN, Ms. DEGETTE, Mr. HIMES, Ms. TITUS, Mr. DONNELLY of Indiana, Mr. BRALEY of Iowa, Mr. MARSHALL, Mr. CARNEY, Mr. BOCCIERI, Mr. LARSON of Connecticut, Mrs. DAHLKEMPER, Ms. MARKEY of Colorado, Mr. PETERS, Mr. HEINRICH, Ms. EDWARDS of Maryland, Mr. KISSELL, and Mr. CONNOLLY of Virginia.

H. Res. 355: Mr. MORAN of Virginia.

H. Res. 360: Mr. MCINTYRE.

H. Res. 366: Mr. KENNEDY.

H. Res. 373: Mr. PAULSEN, Mr. KLINE of Minnesota, and Ms. BORDALLO.

H. Res. 390: Mr. SCHOCK, Mr. CALVERT, and Mr. SOUDER.

H. Res. 397: Mr. COBLE.

H. Res. 398: Mr. WOLF.

H. Res. 407: Ms. NORTON, Mrs. CHRISTENSEN, Mr. STEARNS, Ms. DELAURO, Mr. MARKEY of Massachusetts, and Ms. MATSUI.

H. Res. 408: Mr. SPRATT, Mr. COOPER, Mr. LOEBSACK, and Ms. LORETTA SANCHEZ of California.

H. Res. 409: Ms. BORDALLO, Mr. DINGELL, Mr. HOEKSTRA, Mr. CAMP, Mr. COLE, Mr. KILDEE, Mr. CASTLE, Mr. PLATTS, Mrs. EMERSON, Mr. DENT, Mr. UPTON, Mr. WOLF, Mr. CAO, Mr. COBLE, and Mrs. BONO MACK.

H. Res. 411: Mrs. MCMORRIS RODGERS.

H. Res. 422: Mr. MEEKS of New York.

H. Res. 428: Mr. BOCCIERI, Mr. YOUNG of Florida, Mr. MCMAHON, Mr. KENNEDY, Ms. HERSETH Sandlin, Mr. SHULER, Mr. VAN HOLLEN, Mr. TOWNS, Mr. HIGGINS, Mr. RADANOVICH, Mrs. CAPITO, Mr. BOREN, Mr. SHIMKUS, Mr. BRIGHT, Mr. BILIRAKIS, and Mr. WOLF.

H. Res. 433: Mr. WEINER, Mr. ISRAEL, Mr. GUTIERREZ, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, and Ms. VELÁZQUEZ.

H. Res. 435: Ms. LINDA T. SÁNCHEZ of California.

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. 848: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1137: Ms. WASSERMAN SCHULTZ.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. LATTA on H.R. 581: Virginia Foxx and Robert J. Wittman.

Petition 2 by Mr. CARTER on H.R. 735: Virginia Foxx.

Petition 3 by Mr. LATOURETTE on House Resolution 359: Lynn Jenkins, Virginia Foxx, Kay Granger, Greg Walden, Blaine Luetkemeyer, David P. Roe, John Fleming, Joseph R. Pitts, Pete Olson, John J. Duncan, Jr., Robert J. Wittman, Sue Wilkins Myrick, John Kline, Vernon J. Ehlers, Sam Johnson, W. Todd Akin, Ken Calvert, Robert E. Latta, Glenn Thompson, Henry E. Brown, Jr., K. Michael Conaway, Charles W. Boustany, Jr., Jeff Miller, Denny Rehberg, F. James Sensenbrenner, Jr., Todd Tiahrt, Marsha Blackburn, Adam H. Putnam, Judy Biggert, Jim Jordan, Jim Gerlach, Steve Scalise, Frank A. LoBiondo, John Sullivan, Michael T. McCaul, Tom Latham, Doug Lamborn, Dan Burton, Joe Wilson, J. Randy Forbes, John Boozman, Charles W. Dent, and Wally Herger.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

OFFERED BY: MR. COFFMAN OF COLORADO

AMENDMENT NO. 6: In the item relating to ''Economic Support Fund'', after the first dollar amount and the fourth dollar amount, insert ''(increased by $119,000,000)''.

In the item relating to ''Mitigation and Refugee Assistance'', after the dollar amount, insert ''(reduced by $119,000,000)''.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, THURSDAY, MAY 14, 2009 No. 74

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, You know all about us. You know when we sit down and when we rise up. You know when we sin and when we obey. Give us Your Holy Spirit to purge us from every wrong thing, that our lives will glorify You.

Today, guide the steps of our lawmakers. Help them to run when they can, to walk when they ought, and to wait when they must. Open their minds to discern Your will and make them ready to do it. In everything, do through them what is best for our Nation and the advancement of Your kingdom in our world.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following the remarks of Senator MCCONNELL and myself, there will be a period of morning business for up to an hour. Senators will be allowed to speak for up to 10 minutes each, with the exception of Senator FEINSTEIN, who will control the full 30 minutes on the Democratic side. The next 30 minutes will be under the control of the Republicans. Following morning business, the Senate will resume consideration of the credit card legislation.

Last evening, I filed cloture on the substitute amendment and on the underlying bill. That was under rule XXII. Because of that, the filing deadline for germane first-degree amendments is at 1 p.m. today. I hope we can reach agreement to have that cloture vote today. It is scheduled for the morning. If we can't do it in the morning, we will have to do it Tuesday morning because of the Senate schedule. If we complete that cloture vote tonight, we would be able to finish the germane amendments Tuesday morning and move on to other matters we have to do next week before we take our Memorial Day recess. We want to be able to leave here, if at all possible, on Thursday of next week. People have things scheduled. But we may have to work into Friday. I hope not. I hope we don't have to work into Saturday. But we have to do this credit card legislation, the financial fraud. We have been in contact with Republicans. They will have a number of amendments. They want it to come back from the House. There will be some amendments in order. I have spoken to the Republican leader on that, and they are going to try to get us those amendments as quickly as possible. Hopefully this morning we can set that up to complete that legislation quickly.

Then, of course, we have to do the supplemental appropriations bill. I hope that is not going to be controversial. It will be marked up in the Senate today, and then we will have the ability to look at what the House and Senate did before it comes to the floor here.

There are a number of issues that will be discussed. I hope there aren't any that should take a lot of time, but we will see.

That is our workload this work period. I hope we can work through this, as much as we can get done today. If not, we can complete a lot of the work on tomorrow and Monday even though there will be no votes on those days.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

GUANTANAMO

Mr. MCCONNELL. Madam President, last night we learned that the supplemental war spending bill the Senate will take up contains $80 million to be used for closing Guantanamo. But the language of the bill acknowledges what Republicans have been saying for months: The administration has no plan to safely close this secure detention facility.

Closing Guantanamo without a safe alternative would be irresponsible,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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dangerous, and unacceptable to the American people. Americans are worried that closing Guantanamo by an arbitrary deadline won't keep them as safe as Guantanamo has. They are particularly worried about the administration's reported plan to transfer some detainees to detention facilities right here on American soil. State and local officials in places such as Louisiana, California, Virginia, and Missouri have been introducing resolutions to keep terrorists from coming to their communities.

One look at the experience that Alexandria, right across the river here, had a few years ago during the trial of 9/11 conspirator Zacharias Moussaoui makes it easier to see why all these communities are so concerned. Moussaoui was just one terrorist. Yet the effect his presence had on the city of Alexandria was enough for the city's current mayor to state emphatically that he is absolutely opposed to relocating prisoners from Guantanamo to Alexandria. ''We had this experience,'' he said recently. ''Let someone else have it.''

According to press accounts, housing Moussaoui turned parts of Alexandria into a virtual encampment. Every time he was moved to the courthouse, he was transferred in a heavily armed convoy that shut down traffic and locked down the surrounding community.

One security expert recently told the Washington Post that housing detainees from Guantanamo would likely be even more complicated than it was for Moussaoui, with more locations for security personnel to cover and even more snipers.

According to the same Post article, one of Moussaoui's lawyers said that bringing just two or three Guantanamo detainees to Alexandria would be a ''major headache.'' Alexandria's sheriff has warned that multiple detainees could ''overwhelm the system.''

Based on the Moussaoui experience, local business owners in Alexandria also think the arrival of detainees from Guantanamo could be a serious drag on commerce. But even more worrisome for residents is the concern that housing detainees in Alexandria could invite terrorist attacks.

I ask unanimous consent to have the Washington Post article I am referring to entitled ''Security Worries in the Suburbs, Possible Move of Terrorist Suspects to Alexandria for Trial Raises Outcry'' printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 25, 2009]

SECURITY WORRIES IN THE SUBURBS

(By Jerry Markon)

An outcry is growing in Alexandria over a prospect no one seems to like: terrorist suspects in the suburbs.

The historic, vibrant community less than 10 miles from the White House markets itself as a ''federal friendly zone.'' But it has turned decidedly unfriendly to news that the Obama administration might move some detainees from their highly controlled military fortress at Guantanamo Bay, Cuba, to Alexandria to stand trial at the federal courthouse.

''We would be absolutely opposed to relocating Guantanamo prisoners to Alexandria,'' Mayor William D. Euille (D) said. ''We would do everything in our power to lobby the president, the governor, the Congress and everyone else to stop it. We've had this experience, and it was unpleasant. Let someone else have it.''

The 2006 death penalty trial of Zacarias Moussaoui, who was convicted of conspiring in the terrorist attacks of Sept. 11, 2001, turned the neighborhood into a virtual encampment, with heavily armed agents, rooftop snipers, bomb-sniffing dogs, blocked streets, identification checks and a fleet of television satellite trucks.

President Obama has vowed to close Guantanamo by January, and the government is reviewing files on the roughly 240 detainees. The administration has strongly indicated that some will be transferred to federal courts, and a senior Justice Department official recently named Alexandria, along with Manhattan, as possible destinations.

Alexandria Sheriff Dana A. Lawhorne, who operates the city jail, said federal security requirements for housing suspects could ''overwhelm the system'' if multiple detainees are brought there.

City officials and some legislators are concerned that terror trials would take years, shut down roads and cost millions and could invite attacks from terrorist sympathizers. Business owners in the dense area around the courthouse—newly filled with hotels, restaurants and luxury apartments—fear disruptions amid a declining economy.

Local officials acknowledged that they cannot control the docket at the federal courthouse and said they would work with the Justice Department to minimize problems. But the resistance in Alexandria, one of the few places known for handling high-level terrorism and national security cases, illustrates some of the practical complexities facing the president's plan to shutter the controversial detention facility.

The Guantanamo detainees include the five accused planners of Sept. 11, among them former al-Qaeda operations chief Khalid Sheik Mohammed. Putting detainees on trial in Alexandria would mean moving them from an isolated island prison 90 miles from Florida to a neighborhood brimming with residents, thousands of federal employees and the new Westin Alexandria Hotel 190 feet from the courthouse door.

''It would be a disaster,'' said Rep. Frank R. Wolf (R-Va.), who co-sponsored legislation to ban the use of federal funds to transfer detainees to Virginia detention facilities, one of at least 10 similar bills filed by Republicans nationwide. In a March 13 letter to Attorney General Eric H. Holder Jr., Wolf questioned how officials would protect the community.

Dean Boyd, a Justice Department spokesman, said the administration is reviewing how to handle Guantanamo detainees. ''It's far too early to speculate on the final disposition of any particular detainee at this time, much less begin speculating about potential judicial districts for prosecution,'' he said. He declined to comment on Wolf s letter.

Matt Branigan, president of Fairfax-based Watermark Risk Management International, said that the security could cost millions and that a courthouse in a less-populated area would be safer than Alexandria.

''The concern is that someone from the terrorist side of things would want to make some statement in conjunction with the trials,'' said Branigan, a former senior Air Force anti-terrorism officer. He said the new development in the area ''makes the security plan much more complicated. You have more locations to cover, more roofs to lock down with snipers.''

When the Alexandria jail, an eight-story red-brick building adjacent to the Capital Beltway near the Woodrow Wilson Bridge, opened in 1987, the area had been a city dump.

''The idea wasn't that you were going to house terrorists,'' Lawhorne said. ''It was a local jail.''

The 10-story federal courthouse opened a few blocks away in 1996 in what had been a field of mud. The chief judge brought bag lunches to work because there were so few restaurants nearby.

Major terror trials were held in Manhattan in those days, but Alexandria became the Bush administration's courthouse of choice after hijacked airplanes slammed into the World Trade Center and the Pentagon. Northern Virginia jurors and judges were considered more conservative, and officials thought the area was more secure.

By early 2002, about a dozen terrorist suspects were held at the jail, which by contract accepts up to 150 federal inmates, and more if it can. Moussaoui, who spent 23 hours a day inside his 80–square-foot cell, was constantly monitored and never saw other inmates. An entire unit of six cells and a common area was set aside just for him.

''It was a real hassle,'' said Alan Yamamoto, one of his lawyers. ''Bringing even two or three or four people over there is going to be a major headache.''

Lawhorne said he would discuss any requests to hold Guantanamo inmates with city officials.

''It would be a very extremely high-risk situation for us. . . . My first obligation is to protect the interests of the city,'' said the sheriff, who added that he would do what he can: ''You can't run the other way when your country calls.''

The 450–inmate jail was locked down every time Moussaoui was moved to the back of the nearby courthouse in a heavily armed convoy. Traffic was stopped as snipers watched from rooftops. The route from the jail is much denser today.

On a single block behind the courthouse, there is a luxury 326–unit apartment complex with a Fed Ex/Kinko's, cleaners and cafe on the first floor; an office building with room for ground floor retail; another office building; and a Marriott Residence Inn. All opened within the past 18 months.

Pramod Raheja, owner of Intelligent Office on the ground floor of one building, said he would ''strongly oppose'' bringing Guantanamo detainees to the neighborhood.

Directly in front of the courthouse, in a thriving community near Old Town known as Carlyle, the Westin anchors a virtually all-new block with a coffee bar, an upscale restaurant, a condominium complex with units costing more than $1 million and a Thai restaurant. A Starbucks is opening this month. The new U.S. Patent and Trademark Office complex, with more than 7,000 employees, starts on the next block.

''I've never agreed with people who say 'not in my back yard,' but there are just too many people around here,'' said Jim Boulton, president of the unit owners association at the Caryle Towers condominium complex, which has been trying to get the government to remove security barriers left over from the Moussaoui trial. ''They need to find someplace else.''

Mr. MCCONNELL. The problems that one terrorist caused for Alexandria could be duplicated in any city or town to which detainees from Guantanamo

are sent. Although the administration hasn't given us any details on which cities or towns they might choose, we can imagine what they could look forward to, based on Alexandria's experience with Moussaoui. So here is what a community would have to experience: heavily armed agents patrolling local neighborhoods, rooftop snipers, streets locked down and access to local businesses cut off, identification checks and bomb-smelling dogs checking cars, millions of dollars in cost and strained local resources. That is what you get when you have a terrorist in your hometown. Kentuckians don't want to live under these conditions. I doubt any other American would either, especially if we consider that any community that becomes a home to these detainees could have to endure these conditions for literally years, given the possible length of terror trials.

Some of the other locations that have been mentioned as possible destinations for the terrorists at Guantanamo include facilities in South Carolina and Kansas. One local official in South Carolina responded to the possibility by saying he didn't have the police resources to deal with an influx of terrorists from Guantanamo. An official in Kansas said Guantanamo detainees would significantly tax his police resources.

The administration claims that closing Guantanamo and transferring some detainees to U.S. soil would make the American people safer. It is hard to understand that statement. But based on the experience of Alexandria, it is easy to see why many Americans are skeptical. The administration has said that when it comes to Guantanamo, its highest priority is the safety of the American people. But safety is our top concern. The administration should rethink its plan to transfer terrorists to American communities.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided between the two leaders or their designees, with the Senator from California, Mrs. FEINSTEIN, controlling the majority time and the Republicans controlling the second half.

The Senator from California.

(The remarks of Mrs. FEINSTEIN and Mr. SCHUMER pertaining to the introduction of S. 1038 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. FEINSTEIN. Thank you, Madam President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I applaud my colleague from California for raising this issue. This is one that has been here since I have been here, and we have seen it a number of times and we are seeing the effects of this. I applaud her leadership in bringing this forward. It is a serious issue. It is a serious matter. It is one that has significant consequences to our overall economy across the country—in California, in Kansas, my State—in New York, and other places.

GUANTANAMO

Mr. BROWNBACK. Madam President, I rise to address an issue that is front and center for us. It is the Guantanamo Bay detainees. Tomorrow I will be leading a congressional delegation to Guantanamo to look at the facility there. We will bring this issue up—it will be up next week in the supplemental appropriations bill—the effort of the administration to close Guantanamo Bay, which most of the American public do not support. I realize it is quite popular in Europe to close Guantanamo Bay. I would hope we would start to get a more factual setting on this issue.

I would also hope, and I would invite the administration to engage all of us here in the Senate—certainly I am willing to be engaged—about what we can do with the detainees. They need to be treated humanely. They need to be treated appropriately under international conventions. They do not need to be brought to the United States.

We do not have a facility in the United States to be able to hold these detainees in a way and in a situation that would be safe for the people of the United States. We are not prepared to release these detainees because we have found so many of them back on the battlefield after they have been released. So there is a quagmire that exists as a result of the administration's efforts to close Guantanamo Bay to please foreign detractors who I don't believe will be pleased, even if the facility is closed. They will complain about the next facility. I would invite them to work with us—the administration to work with us—to come up with an acceptable solution to this difficult problem. I stand ready and willing to do that.

To borrow a phrase from Winston Churchill, the administration's detainee policies seem to me to be a riddle wrapped in a mystery inside an enigma. The administration started with a confident announcement that military commissions would end and Guantanamo's detainee facility would be closed. But according to a report in Saturday's Washington Post, the administration is preparing to restart military commissions.

That same report, however, also cited an unnamed lawyer who said that the new commissions would be held on American soil, probably at military bases. Such a move would be a first step toward permanent transfer of detainees to the United States. Apparently, detainees would be moved to the United States whether or not the new commissions would be able to prevent the release of terrorists in the United States. Such a policy is truly an enigma.

I have not been briefed on these plans, and it is disappointing that unnamed lawyers apparently know more about the administration's plan than Members of Congress. The administration is famous for its willingness to talk with its opponents and have meaningful dialog on tough issues. I hope that desire to talk extends to detainee policy matters.

Detainee policy is too complicated and controversial to make decisions behind closed doors and have them be made by one party alone. It needs to be a bipartisan approach. As I said in January, when the administration announced its plans to close Guantanamo Bay, I believed policy changes must be made openly and transparently and in a bipartisan fashion to be credible. So far we have had riddles, mysteries, and enigmas, but no clear sense of direction. Now the American people are skeptical of what is going to happen.

A poll last month showed that just 36 percent of Americans agree with the administration's decision to close Guantanamo Bay. I am sure that number would be higher in Europe, but we don't represent the European people. Seventy-six percent oppose releasing detainees in the United States. Two weeks ago, Secretary of Defense Gates told the Appropriations Committee that he expects that every Member of Congress would oppose detainees being moved to his or her district or State. In fact, I learned in a written response from Secretary Gates yesterday that DOD will make no attempt to discuss detainee transfers with State and local officials until a final decision about where to put detainees is reached. As I said, the number was 66 percent opposing releasing detainees into the United States.

If my constituents in Leavenworth, KS, are any indication of the level of American concern over the administration's mysterious plans, Secretary Gates is right to be wary about negative reactions to detainees in the United States. Folks in Leavenworth are quite comfortable with tough criminals living in nearby prisons, but they see detainees differently. They don't want terrorists coming into Kansas. We are not set up to handle terrorist threats because of detainees coming to Fort Leavenworth.

The administration cannot and should not duck this debate. They need to tell the American people how their security is improved by bringing terrorists inside our borders. They need to be upfront about how detainees will be handled and where they will be housed.

Then the administration needs to listen to the American people before it charges forward.

Of course, a national debate on this issue should be based on facts. Just after last year's election, I invited members of the Presidential transition team to visit Fort Leavenworth to see for themselves why it could not handle a detainee mission. Nobody visited. Nobody even responded.

In January, I invited the President to Fort Leavenworth so he could hear the facts directly from the people who work and live at Fort Leavenworth. That invitation is still open.

I tried to provide some facts to Attorney General Holder during his confirmation hearing. I noted that Fort Leavenworth's primary mission is education, and that many international students of the command and general staff college will refuse to participate in military education programs if detainees are nearby. This could harm the interests of our Nation. Unfortunately, Fort Leavenworth is still being considered as a detainee destination.

I was pleased that Attorney General Holder made his visit to Guantanamo Bay in February and found out that it is, to use his words, ''a professional and well-run facility.'' I would like for him to visit Fort Leavenworth, too, because the facts speak for themselves. It is not just that Fort Leavenworth should not have the detainees; it cannot take on this mission.

The Missouri River forms the eastern border of the post. The city of Leavenworth wraps around the other three sides. There isn't enough space in the existing maximum security prison wing to handle the Guantanamo detainees. The post doesn't have a hospital. It doesn't have adequate legal facilities. The fact is, the Fort Leavenworth idea just doesn't work.

In order to resolve all of the issues surrounding the Guantanamo detainees, we need a full debate with all of the facts available and everybody engaged. That means everyone needs to do their homework. I was pleased that our colleagues in the House rejected the administration's request for more than $80 million in supplemental funding related to closing the Guantanamo detention facility. The House Appropriations Committee chairman was absolutely right to demand that the administration come to Congress and defend a concrete plan before we consider this request. We should not be in the business of spending taxpayer money on hypotheticals, especially in a matter as significant as moving terrorists inside the borders of the United States.

It is my hope that next week this body will vote on whether detainees should be moved to the continental United States.

I hope that we would vote against such a move. I believe there would be a strong bipartisan vote against such a move.

I am doing my homework as well, as I mentioned previously. I will be traveling to Guantanamo Bay tomorrow. I have been to Fort Leavenworth many times. I want to see what we have accomplished at Guantanamo with the more than $200 million in taxpayer funds in the last 8 years that we have spent on that facility. I want to understand what it takes exactly to operate a detainee facility that is ''professional and well run,'' to use Attorney General Holder's statement.

When the supplemental reaches the floor, I hope we can have a full and informed debate over detainees. I hope we can agree to set aside the request for the funding of hypothetical detainee transfer plans. I hope we can agree that we are not ready to bring detainees to the United States. I hope we vote on that and send a clear message to the administration and to the American people, most of which oppose moving detainees to the United States.

If we poll different States on whether that State wants detainees moved to their State, they are overwhelmingly opposed—the States are—to moving detainees to their States. From my own State, I know we do not feel confident at all that we would be able to house the detainees in a safe fashion for the people of Kansas.

I hope we can set aside the arbitrary timeline for withdrawing detainees from Guantanamo Bay and do the hard work of determining what status detainees should have, how military commissions work, how long we are willing to hold detainees, and whether they might ever be released to threaten Americans again. This is a tough problem. The Bush administration wrestled with this for years. When I was on the Judiciary Committee, we wrestled with the issue of how to handle the legal rights of detainees. We have a situation that we haven't seen before. This is one where we have detainees who are enemy combatants but don't represent a foreign country. They are freelancing or in an organized effort not based in a country. Normally, in the past, we would have a conflict with another nation, and we would hold prisoners of war until the conflict is over, and then there would be a military exchange or an exchange of prisoners at the end or there would be trials for these combatants so they didn't go back on the battlefield.

We are still in the war on terrorism, despite efforts by the administration to rename it. Whether it takes place in Afghanistan, Iraq, and many other places; whether it is the Horn of Africa, where we are seeing problems, or Somalia, and in many other locations around the world, there is a dedicated terrorist force that doesn't represent a country which seeks to do us harm and kill American citizens and harm our interests. That continues to be the factual setting.

When people are released from Guantanamo, we are seeing them back on the battlefield, and it is like they have received a promotion. In Afghanistan, one of the leaders of the Taliban effort was a person released from Guantanamo Bay. It is like this was a credentialing exercise. Now he is leading a broader group. We don't want that to take place. We don't want to release new commanders into the field.

In normal history, this wouldn't be an issue until the war itself was resolved. We have to figure out the military commissions. We tried multiple times, in various ways, to be able to give legal rights to individuals without revealing confidential information that would hurt our troops on the battlefield. We haven't found the appropriate route yet. I stand ready to try to do that. But I don't stand here willing to release people who will harm U.S. citizens. I don't think that is in our interest, and that is not our job.

I don't think it is our job to try to meet a European public's impression of a facility that our Attorney General believes is well run. It may have image issues that are taking place, but let's get actual facts. If the Europeans are that concerned about it, why don't they get more involved in Guantanamo Bay or be willing to take some detainees and not release them back onto the battlefield. I think this is one of the tough problems that needs to involve everybody. If there is an open debate and dialog—and the American people and interests should be our primary concern—we can resolve this but not by releasing detainees or putting them on U.S. soil, and certainly not by putting them at Fort Leavenworth, KS, where people are saying clearly that we cannot handle this. We are not prepared to do this.

It will hurt the primary mission at Fort Leavenworth and the education of our students and also the foreign military officers as well. We have students from Jordan, Egypt, Pakistan, and Saudi Arabia. These are students and army officers from those four countries. We get army officers from 90-some countries on a regular basis to Fort Leavenworth for training and for relationship building with U.S. military forces. When we go to joint exercises—and there is rarely one around the world that isn't a joint exercise—there is confidence and communication that is built up among the individuals. We have been told by these four countries—by students from these countries—if we move the detainees to Fort Leavenworth, KS, at the same place we are training future military leaders, they will pull their students out. We will defeat the purpose.

We need to be able to work with the Pakistani military, the Saudi military, and the Jordanian and Egyptian militaries. Now we will lose those officers because we move detainees to Fort Leavenworth, a place we are not set up to handle them. It will cost hundreds of millions of dollars, even if we could put a facility there, and the people in the community will feel threatened. This is an urban setting. For what? Why are we doing this? So we can make ourselves less secure and make ourselves

less effective around the world? So that we can please the European public with this move? That is the reason.

None of this makes any sense. We have invested $200 million in the Guantanamo Bay facility that is well run. I don't know why we would do this. It doesn't make any sense. I think we ought to work on this in a bipartisan fashion and roll up our sleeves and see what is in the best American interests. Treating detainees humanely, rightly under the international conventions we have agreed to with other countries, yes, but not harming U.S. citizens or subjecting our military to recycled individuals who have been captured and put at Guantanamo Bay and released, and where we can meet them on the battlefield again as organizers and as people held up as examples to the terrorist fight.

We can do this but not with the direction that the administration is going in, and certainly not by excluding members of the other party.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. 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.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT

Mrs. SHAHEEN. Mr. President, today I rise in support of an important small business amendment to the Credit Cardholders' Bill of Rights, amendment No. 1079. It would expand the truth in lending protections of this bill and cover our Nation's small businesses in addition to individual credit cardholders. I am proud to be a cosponsor of this amendment.

I thank Senators LANDRIEU and SNOWE, who are the chair and ranking member of the Small Business and Entrepreneurship Committee. I thank them for their leadership on this issue. I also thank Senators DODD and SHELBY for their tireless work on the Credit Cardholders' Bill of Rights.

This legislation is important because, as we have heard Senator DORGAN say so eloquently, we can no longer allow predatory and misleading lending practices to jeopardize American consumer credit. Reform of the credit card industry is truly long overdue, and the members of the Senate Banking Committee should be commended for bringing such a strong bill to the floor. I look forward to supporting it. But we need to make a change in the bill because small businesses are critical to America's economic recovery, and in States such as mine, small businesses are the anchor of our communities and our economy, providing the jobs and the services that help families pay their bills and put food on the table.

Unfortunately, many small businesses in New Hampshire and throughout the country continue to struggle in today's economy. That is forcing layoffs and slowing our path to economic growth. I have met with small business owners across New Hampshire. They are small business owners who have excellent credit histories, but they cannot access much needed credit because of this economic crisis. Many small businesses have seen their credit lines reduced or even eliminated on short notice, preventing them from restocking their shelves and investing in future growth. Unfortunately, more and more small businesses are relying on credit cards to meet their cash flow needs.

I am proud to have led a successful effort to increase access to credit through the Small Business Administration's 7(a) Loan Program. But we must also ensure that small business owners have credit cards on which they can depend.

The Credit Cardholders' Bill of Rights makes important changes that will protect consumers from unfair practices such as arbitrary interest rate increases and unfair credit terms. This amendment simply expands Truth in Lending Act protections to small businesses with 50 or fewer employees.

As business owners across the country grapple with the economic recession, we must ensure that credit cards help, not hinder, our recovery effort. By protecting small businesses from unfair credit card practices, business owners will be better able to manage their cash flow, plan for future growth, and contribute to our economic recovery.

I urge my colleagues to join me, Senator LANDRIEU, and Senator SNOWE in support of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUFFALO AIRLINE CRASH

Mr. DORGAN. Mr. President, yesterday we heard on the radio and in news accounts of the National Transportation Safety Board investigation of the crash that occurred in Buffalo, NY, of a commuter airline. I chair the Aviation Subcommittee of the Commerce Committee; Senator ROCKEFELLER is chairman of the Commerce Committee. I visited with him early this morning on this subject.

I was stunned yesterday to read and hear the results of the National Transportation Safety Board investigation. Last evening, I met with the families of some of those who lost their lives in that commuter airline crash.

I want to make a point that the things we now have learned about that particular flight are very disturbing—the question of crew rest, the question of training, of safety issues. I am not here to suggest that when someone gets on an airplane today or tomorrow or anytime, they should worry about who is in the cockpit, but I do suggest this: In this case, what we have now learned is that one of the people in the cockpit traveled all night because the duty station was in New York and the person lived on the west coast. That person traveled all night from the west coast, stopping in Memphis, then on to New York, and then went on a flight. Well, one wonders about having an all-night flight. Many of us have it. I have been on red-eye flights from the West many times. But for a pilot in the cockpit to live on the west coast, fly to New York, and take an all-night flight, poses real questions for me in terms of crew rest.

The voices in the cockpit suggest that one of the people in the cockpit said that person had no experience with icing. Well, I have had a lot of experience with icing, and it is unfathomable to me that someone in the cockpit of a commuter airline would have no experience with icing if they are flying in the Northeast at a time of the year when icing would be present.

It appears from what we know that the person in charge of the cockpit on that airplane had 3 months of experience with that type of airplane. The question is not just experience but how much experience do you have in the cockpit of that type of equipment.

The copilot on that flight was paid $16,000 a year. Think of that. A copilot was paid $16,000 a year salary and worked part time in a coffee shop to make ends meet and lived with the parents in order to make ends meet. I don't know if most people understand this when they get on a commuter flight. A lot of flights in this country are on commuter airlines. You get on a plane that has the same markings on the tail and wings and fuselage of a major carrier, but in many cases it is not that carrier at all that is operating the flight. When people get on an airplane, they expect the same standard, the same standard of training, of crew rest, the same set of standards no matter what airplane they are on if they are flying commercially.

The Federal Aviation Administration has the responsibility to set standards and then enforce them. The National Transportation Safety Board investigation of the Buffalo crash has raised very serious questions that need to be resolved. As chairman of the Aviation Subcommittee, working with the chairman and ranking member of the full Commerce Committee, I intend to be very involved in investigating what is happening.

I don't say this to alert people to be anxious or excited about having to take a flight somewhere but as someone who flies a great deal. This disclosure about these issues on this flight is

very troublesome. I want every American to believe that when they walk onto an airplane, no matter the company, that the experience, the capability in the cockpit is such that they can have comfort. I don't care whether you are flying on an Airbus 320, a Boeing triple 7 or A–8, you ought to feel, as a passenger, that that experience, the crew rest, the capability with the airplane in the cockpit gives you a substantial margin of safety.

We have an unbelievable record in the skies across the country. We have had very few accidents. In recent years when we have had accidents, most of them have been with commuter airlines. I am not suggesting in any way that we get along without commuter airlines, but I believe the FAA has some significant questions to answer. I believe the FAA has a lot of work to do. We will now have a nomination hearing for Randy Babbitt to head the FAA. Frankly, the FAA has not had consistent leadership. I hope Mr. Babbitt will provide that. I expect during his confirmation hearing he will get a great many questions about these issues.

I will have more to say about what we will do in my subcommittee as well later today. I did want to mention that I have been stunned by what has been revealed by the National Transportation Safety Board about that crash in Buffalo, NY by that commuter carrier. The family members of those who perished in the crash obviously are very concerned as well by what has been disclosed. It is a service to this country for the NTSB to have done a complete investigation. It will provide for all of us a reminder that there is much yet to do in the FAA to make certain that we maintain a good record of safety going forward. That applies to the major airlines and just as well and equally to commuter airlines.

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. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT

Mr. DURBIN. Mr. President, we are considering a bill which affects millions of Americans. It is about credit cards. We all have them. We all wonder each month, when we get a monthly statement, what in the world it means. I am a lawyer. I have been a legislator for a while. I couldn't even tell you what the back of my credit card statement says every month. But I know if you end up missing a payment, if you end up being late on a payment, the world can crash down on you, because I have gotten plenty of letters from people around my State and the country about some of the things that happen when it comes to these credit cards.

I thank Senator DODD and Senator SHELBY. This is the first credit card reform legislation in how many years? Ever. That is a long time. It is overdue.

All of us know how much they have become a part of our lives, and all of us know how vulnerable we are when interest rates go through the ceiling, when they end up saying: Because you are a day late on your payment, unfortunately, you have to pay a penalty. Then there is interest on the penalty. And did we tell you there is interest on the interest on the penalty. You think it will never end—$25, $50, $75.

Senator DODD, in this credit card reform legislation, does one of the most significant things for American consumers we have seen.

I want to offer an amendment. Understand, if you go to your local restaurant in your hometown and have a meal and pay for it with a credit card, the owner of that restaurant has to pay part of your bill to the credit card company and the issuing bank. It is called an interchange fee. So the owner of the restaurant doesn't get the $20 that you put on the counter. That owner may end up paying several percent of that $20 to the credit card company and to the bank.

When we created the original law in this area back in 1981, we said: It is OK for people in restaurants and other places to say to their customers: We will give you a discount if you pay in cash or by check. That is the law; right? It makes sense. The person who owns the restaurant says: I am only going to charge you $18.75 instead of $20 because you are paying in cash instead of with the credit card. That way I don't have to send part of your $20 back to that credit card company.

That was the law, and it seemed to be a pretty good one. The credit card companies weren't happy with that. They didn't want people to get incentives not to use credit cards. They created new, legal entities for credit card companies that didn't quite fit into the 1981 definition so that they wouldn't be covered by the possibility of a consumer discount. And then, for those bold companies like that hometown restaurant that decided they still wanted to offer a cash discount, they piled up the rules on them at the credit card companies and said: If you don't advertise in just the right way, we will fine you. I can tell my colleagues, gas stations are being fined $5,000 because they offered a discount of $1 or $2 to a consumer.

As a consequence, retail merchants came to us and said: Give us a break. If we are going to have a discount for cash or check, say so in the law so that we can offer this to the American consumer.

The credit card companies hate it like the devil hates holy water. It is like old Senator Bumpers from Arkansas used to say: Like the devil hates holy water. They don't want to change.

This bill will change a lot of things they don't like. Thank goodness. I hope the Members of the Senate will accept the amendment I am offering with Senator BOND of Missouri, a Republican, a bipartisan amendment that says: Merchants across America can offer a discount over credit cards for people who pay in cash, check, or with a debit card, which is the new checking account for many younger people.

That discount is going to help that establishment to be able to say to folks: Well, we can give you a break here on the product you just bought or the meal you just bought; and say to the consumers across America who are struggling in this economy: Here is a way to save a few bucks. You can pay in cash, and you will not have to pay as much as you would on a credit card.

I think that is a move in the right direction. I am glad retail merchants, large and small, all across America have rallied behind this amendment. Whether it is your gas station or a little shop in your hometown or the restaurant you go to, they will be able to say to you: If you pay in cash, check, or debit card, we can offer you discounts on your final bill. I think that is a good break for people across America that they can enjoy every single day if they want to, if that is the way they want to make the purchase. If they want to use the traditional credit card, that is up to them.

So this goes back to the original law, knocks away all of the obstacles put in the path of this law by the credit card companies, and basically says, this gives retail merchants across America a way to offer a discount to American consumers.

So I hope my colleagues on both sides of the aisle will join me on that amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

CLIMATE CHANGE

Mr. BARRASSO. Mr. President, I have in my hand a memo by Obama administration attorneys—a compilation of attorneys—from a number of different Federal agencies. It is marked ''Deliberative'' and ''Attorney Client Privilege.'' This memo is well thought out. It is scientific as well as a legal critique of the decision by this administration to use the Clean Air Act to regulate climate change. The memo confirms the fears of every small business owner, every farmer, every school and hospital administrator, in both large and small communities, that the Obama administration knows that using the Clean Air Act to regulate climate change is bad for America. They know it, but for political reasons they have ignored the science. The consequences to our economy have also been ignored, as well as the impact on the American people.

I am going to be clear. To me, this memo is a smoking gun. This memo

makes clear statements about the dangers to America of using the Clean Air Act to regulate climate change.

The memo states:

> Making the decision to regulate carbon dioxide under the Clean Air Act for the first time is likely to have serious economic consequences for regulated entities throughout the U.S. economy, including small businesses and small communities.
>
> Should EPA later extend this finding to stationary sources, small businesses and institutions would be subject to costly regulatory programs. . . .

Costly programs.

The document also highlights that EPA undertook no ''systemic risk analysis or cost-benefit analysis'' in making their endangerment finding.

The White House legal brief questions the link between the EPA's scientific technical endangerment proposal and the EPA's political summary.

The EPA Administrator said in the endangerment summary that ''scientific findings in totality point to compelling evidence of human-induced climate change, and that serious risks and potential impacts to public health and welfare have been clearly identified. . . .'' But the memo states that this is not at all accurate. The memo actually questions—questions—the science behind designating carbon dioxide as a health threat, stating the scientific data on which the agency relies are ''almost exclusively from non-Environmental Protection Agency sources.''

The memo goes on to say that the essential behaviors of greenhouse gases are ''not well determined'' and ''not well understood.''

The memo says:

> The finding rests heavily on the precautionary principle, but the amount of acknowledged lack of understanding about the basic facts surrounding [greenhouse gases] seems to stretch the precautionary principle to providing regulation in the face of unprecedented uncertainty.

Under the same precautionary principle, the memo says the Environmental Protection Agency could ''also regulate electro-magnetic fields and noise.''

This memo confirms that the administration has ignored its own advice. It is looking to make up scientific facts to make a predetermined conclusion. This is politics trumping science. It is the American people who will ultimately pay the price.

I have long stated my concerns that using the Clean Air Act to regulate climate change is a bad idea for our country.

The Chamber of Commerce has stated that 1.2 million new entities such as schools, farms, hospitals, office buildings, big-box stores, enclosed malls, commercial kitchens, nursing homes, and small businesses—in both large and small communities—all would be captured under this preconstruction permit program under the Clean Air Act.

If only 1 percent of the 1.2 million major stationary sources of carbon dioxide in this country undertook new construction or modifications each year, well then, the agencies would have to process 12,000 permits every year. Given the EPA's statement in its Advanced Notice of Proposed Rulemaking in 2008 that 2,000 to 3,000 new permits could ''overwhelm'' the EPA and the States, how can permitting authorities handle the 12,000 they would have to look at? How can they handle 12,000 permits annually? The answer is, with everything they do and everything they stated, they cannot.

EPA Administrator Lisa Jackson says she is not planning to regulate small emitters. She says she can be targeted in what she regulates. But by what authority can the Environmental Protection Agency of this Nation not include all the emitters of carbon dioxide that meet the emission thresholds that are set out in the Clean Air Act? Strangely enough, not just the authors of the administration's legal brief but also environmental groups disagree with the Administrator of the Environmental Protection Agency because she says she can limit those and regulate those she chooses.

The Sierra Club's chief climate counsel stated last year that:

> The Clean Air Act has language in there that is kind of [an] all or nothing if carbon dioxide gets regulated and it could be unbelievably complicated and administratively nightmarish.

The Center for Biological Diversity says:

> The EPA has no authority [at all] to weaken the requirements of the [Clean Air Act] simply because its political appointees don't like the law's requirements.

I have warned the Administrator of the EPA that groups such as these will sue the EPA if the EPA does not capture both large and small emitters. She has dismissed these threats. This is despite the Wall Street Journal last week reporting that a representative of the Center for Biological Diversity stated that her group is prepared to sue for regulation of smaller emitters, such as farms, schools, hospitals, and nursing homes—and they will do that—if the EPA stops at simply going after the large emitters.

I have asked for a plan from the Administrator on how she will address losing court cases if the agency is sued for picking winners and picking losers. Her response in a committee hearing—this was this week—is that she cannot share with me any such plans they might have in that forum of a committee meeting. Well, I would ask the Administrator, if you cannot share information with the elected representatives of the 50 States, then in what forum can you share the information? None of this is in keeping with the transparency that has been promised under this administration.

Similarly, I have asked the person who has been nominated to head up the Air and Radiation Office, Mrs. Regina McCarthy, in the Environmental Protection Agency, the same question. Her response was she cannot share with me her plans because she is not in the job yet. She has said she would like to be informed of potential suits and would then personally meet with anyone wanting to sue to convince them not to sue. Well, Government officials cannot go running around trying to convince every litigant—whether it be an environmental group or a local group that does not want something in their backyard—not to sue. This is not a good policy. This is not good enough.

I am seriously troubled with the administration and their approach to this issue. I have a hold on Mrs. McCarthy's nomination because this process of using the Clean Air Act to regulate climate change is flawed. There appears to be no plan to address it.

With the release of this internal document, we now know that the plan the administration has to address climate change is political and not scientific. They know that using the Clean Air Act to regulate climate change is bad for America. They choose to ignore the threat to America. They are playing a dangerous game of chicken with Congress and the American people.

Either we will all jump to pass the President's energy tax—his cap-and-tax plan—or we will crash head-on into this regulatory ticking timebomb. In the end, it will be the American people who will have to pay the price.

The administration has tried to convince the public to support this cap-and-tax proposal.

Charlie Munger, who is the CEO of Berkshire Hathaway—who works closely with Warren Buffett; they have been partners for years—stated that creating an artificial market in Government-mandated carbon credits would be a ''monstrously stupid thing to do right now.'' And he said such a move is ''almost demented.''

Well, according to the Wall Street Journal, the administration has now consulted pollsters who advocate avoiding such phrases now as ''cap and trade'' and ''global warming.'' The White House Council on Environmental Equality has also scheduled a meeting—earlier this week—with the president of ecoAmerica, a Washington-based nonprofit that uses—their terms—''psychographic research'' to ''shift personal and civic choices of environmentally agnostic Americans.'' This is a sign of desperation. The administration realizes the American people are not buying what they are trying to sell here. The consequences of this issue are too grave for America.

Mr. President, I would say take this regulatory ticking timebomb off the table. Let's pass legislation taking the Clean Air Act out of the business of regulating climate change. Then let's forge a plan in a bipartisan way that makes America's energy as clean as we can make it, as fast as we can do it, without raising energy prices for American families. Let's develop all of our energy resources—wind, solar, geothermal, hydro, clean coal, nuclear,

and natural gas. We need it all. We need an ''all of the above'' energy strategy to address our Nation's energy needs. I look forward to working with my colleagues to address those needs for our Nation.

I yield the floor.

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. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRESS ON CREDIT CARD REFORM

Mr. DODD. Mr. President, I see my good friend from Alabama is here as well. I wanted to give my colleagues a little sense of an update. I know we are all anxious to know how we are progressing.

While we haven't had a vote this morning on any amendments, I think words of encouragement might be helpful at this juncture, to let Members know we are reaching agreement or have reached agreement on a series of amendments that will be incorporated into either a managers' amendment or some manner or form.

To give my colleagues an idea of the amendments being worked out: Senator COLLINS of Maine and my colleague from Connecticut, Senator LIEBERMAN, have an amendment on what is called ''stored value'' cards which we will reach an agreement on; Senator FEINSTEIN and Senator CORKER, along with Senator CASEY and Senator GRASSLEY, have an amendment on university—I believe the word is either ''affiliates'' or ''attitudes.'' Anyway, it is dealing with younger people on university campuses and credit cards. We have either reached an agreement on that or are reaching one, but one will be reached on that as well. There is the amendment from Senator LEVIN dealing with deceptive advertising, which I think we have reached agreement on as well. Senator KOHL has an amendment for a study on the marketing of credit cards. Senator FEINSTEIN and Senator GREGG have an amendment on an emergency PIN program FTC study that has also either been agreed to or is in the process of reaching an agreement. Senator AKAKA has an amendment dealing with credit counseling standards. He has been a strong advocate of that for many years and we thank him for it. That is also an issue upon which we have reached some agreement. There is an amendment dealing with usury and an interest rate study which I will offer.

We had a vote yesterday on at least the waiver—we didn't actually have a vote on the Sanders amendment—dealing with a cap on interest rates set to the national credit union standard. I supported the Senator's effort to waive the budget point of order for us to debate that. That is not to say I would have agreed necessarily with that specific amount, but clearly there is a strong desire in the country to get our arms around this issue of exorbitant interest rates. I thought maybe we ought to be doing it, because there are different institutions with different methods of calculating that. We probably ought to take a look at how we can do that in a more comprehensive manner. So there are a number of agreements.

I see my friend from Alabama. Our staffs worked together last night late into the evening and were able to sit down with Members on both sides of the proverbial aisle, as we talk about here, to reach an understanding. While we have not had a vote this morning on any amendments, work is being done to come to final conclusion on these amendments.

There are amendments that we have not reached agreement on. Let me say to my colleagues, cloture has been filed by the leader. My hope is we can finish this bill today. I have a list of 30 or 40 amendments here from Members who wish to offer them. We have a good bill. Is it a perfect bill? No. Is it a bill that Senator SHELBY would have written on his own? No. Is it one I would have written on my own? No. But, again, we have a product that is worthy of this institution's support. It is the first time we have dealt with reform of the credit card issuing industry. At a time when our fellow constituents are being hammered by rising costs, by fees and interest rate hikes that make it harder and harder for them to keep their families together economically, it is a major step forward and it is deserving of our support.

That is not to suggest that many of these amendments are not good ideas. It doesn't mean we have finished this debate once and for all, forever. Obviously, we will be back on these issues. We are in this Congress, and we will in the next as well. We want to see how this works. We believe it will work well on behalf of our fellow citizens. But at some point we need to get moving and get this done, even though it comes short of everyone else's ideal goal. I say that respectfully.

I have some Members with six or seven different amendments they want to offer. If that is the case, we will never finish this bill. I don't think that is in our interests. Every day we delay is a delay for the final enactment of this legislation or the imposition of its standards. Implementation is nine months from enactment. Every day we wait pushes that date further out at a time when we can help our fellow citizens in this matter of credit card reform.

I won't go back through all the provisions that are incorporated in the bill. I have done that several times. I think my colleagues are pretty well aware of what is included. This is a bipartisan bill. People didn't think we could reach this point. We have done so. Once again, Senator SHELBY and I have worked together with our staffs to achieve that. This bill has been roundly endorsed and supported by every major consumer group in this country. That is no small achievement. So there ought to be a moment of pride here that we have put something together worthy of our support.

These amendments I have mentioned already which we can adopt, we will in either a managers' amendment or by some means by which they can be accepted, but then we need to take these other remaining amendments and I need to have colleagues decide whether they are willing to have them modified or studied or whether they are willing to have their amendments not be offered at this time. They can help considerably or we run the risk of losing this bill. I wouldn't have said that a day or so ago, but we are getting precariously close to that outcome: pushing this off to next week. We have the supplemental coming up. When the agenda is taken over by other items, it is very difficult to come back. So here we are on the cusp of actually achieving an unprecedented result and I don't want to see us lose that opportunity.

I urge my colleagues to step up and come give us a hand to try and move forward on this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I wish to join in and associate myself with some of the remarks my colleague, the chairman of the committee, Senator DODD, has made. One, we have what we think, with the Dodd-Shelby substitute, is a step in the right direction. It is a step in the right direction for consumers. It is also a step in the right direction to bring balance to the credit card industry. Is it everything I would want from the Republican side? No, but it is not everything that Senator DODD and some of the Democrats would want. We have worked together to forge an outcome. We have put a lot of thought and a lot of work into this, as have our staffs, who have worked days and nights. We are close. We could pass this bill today if we could bring a few more people together. I think this is a milestone as far as protecting consumers, informing consumers, as well as to give some balance.

You cannot take risk out of the marketplace. You have to consider risk when you make loans. We have some of that in here. But we have great reforms in here that I think we can live with. Some people don't want a bill on both sides, or the others want something that is probably not achievable, not good for the economy, and not good for the American people. We have to remember that the credit card business does extend credit, to some extent, to people where that is their only credit. This bill will at least let them know a lot of the terms upfront. It will let

them know what they are paying, and so forth. It is a step in the right direction. I hope we can pass that bill. I would like to do it today.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Missouri is recognized.

Mr. BOND. Madam President, I thank the managers of the bill for their good work. Their staffs have done a lot of hard work and put in a lot of time on the credit card bill. Their substitute amendment is a reasonable approach that protects consumers from abusive and deceptive lending practices, while allowing financial institutions to implement reasonable standards to account for credit risk.

I rise today to speak on behalf of the modified Durbin-Bond amendment to the Dodd-Shelby substitute. This amendment would clarify the fact that consumers are allowed to receive a discount for purchases using cash, check, or debit instead of credit cards.

All of our offices have heard from credit cardholders who are angry and confused about sudden interest rate increases, hidden fees, and obscure rules. Much of the anger and confusion stems from inadequate transparency in the financial system, which we are trying to address in the underlying bill.

It is not only individuals and families who are struggling with confusing credit card rules. Over the past several months, I have heard countless complaints Missouri merchants, especially small businesses, who believe they are powerless in negotiating credit card fees that are, in their view, unreasonably high and account for a significant portion of their revenue and may, in some instances, equal their profit. As credit card usage has grown to become the dominant form of payment, these fees have squeezed their financial situation.

Small businesses are especially feeling the stress of credit card fees as many of them operate at very thin profit margins. With small businesses being hard hit by the economic downturn and finding more difficulties in obtaining private financing from banks, this ''fees squeeze'' is being felt even more.

Small businesses play a major role in our economy by creating jobs and acting as the catalyst for innovation. In order for our economy to recover and sustain growth, and in order for our small businesses to put more Americans back to work, it is critical that their cost burdens be minimized.

That is why I have always been a supporter of small businesses and believe their tax burdens must be held down. It is for that reason that I believe action is needed to address the credit crisis by clearing out the toxic assets that clog our financial system.

My long-term and strong support for small businesses is the main reason I got involved in the merchant credit card fees last year, and I cosponsored legislation last year by Senator DURBIN to address a key component of merchant fees, called interchange fees. Mr. President, these fees are generally set at around 2 percent. They have not decreased. And studies indicate that rates may have increased over time.

The Credit Card Fee Act of 2008 aimed at establishing a process to allow small businesses to negotiate so that fees could be set at reasonable rates. It was introduced by us. I have met, along with my staff, countless times with concerned stakeholders, credit card companies, banks who issue credit cards, and large merchants to small merchants. We have even held joint meetings with representatives of both sides. While we gained some understanding, key questions remain.

One key question is whether interchange rates are set in a competitive, market driven manner. Despite several months of meetings, we still don't have adequate information to answer that question or whether the fees are reasonable and fair. It was my hope that we would have been able to work out an agreement, but we have not been able to do so.

Chairman DODD has indicated that the issue of interchange fees will have to be addressed another day. He included in the substitute amendment a study by the U.S. Government Accountability Office to provide recommendations and information.

While interchange fees will have to wait for another day, I believe we can take some modest, commonsense steps, and that brings us to the Durbin-Bond amendment, which answers a major question that consumers, including me, and small businesses have raised. It answers the question of whether merchants can provide consumers a discount if the consumer chooses to use cash instead of credit. Current law permits cash discounts, but in practice it is difficult, at best, for merchants to offer this option due to confusion about the rules. Our amendment would ensure that cash discounts could be offered to consumers, and it would update the law so consumers can receive a discount for using debit cards, along with cash and checks, when making purchases.

It is also important to clarify some misconceptions about our amendment. First, contrary to what some poorly informed lobbyists have said, the language doesn't allow merchants to discriminate between certain brands or types of credit cards. It doesn't allow merchants to cut special deals with certain credit card issuers. This means the so-called ''honor all cards'' rule would be preserved and community banks and credit unions would not be unfairly affected.

To be clear, I strongly support our financial institutions that played by the rules and didn't participate in irresponsible and risky lending practices in recent years. That is why I was a strong supporter of the Dodd-Crapo-Bond language that raised the FDIC's line of credit so that community banks did not have to pay higher fees to support the deposit insurance fund.

Second, the amendment language doesn't allow merchants to surcharge customers for using credit cards. In other words, the price displayed on products must be honored, and merchants can only provide discounts.

Third, and most important, this amendment doesn't harm consumers. In fact, this amendment is structured with most consumers in mind. Consumers will benefit from this provision since they will be given the ability to receive a discount for using less costly forms of payment and preserves the convenience of using all forms of payments. I believe that makes it a win-win for comsumers.

Let me be clear so that there is no misunderstanding. This is not an interchange provision. This amendment doesn't allow surcharges. It doesn't give unfair competitive advantage to large banks at the expense of community banks and credit unions. It is not limited to the two largest credit card companies, MasterCard and Visa. Most important, this amendment won't harm consumers and the economy. In fact, the Bond-Durbin amendment is pro-consumer and pro-small business.

While we were unable to address interchange, I emphasize that the Durbin-Bond amendment represents a breakthrough. It also represents our good faith effort to work openly and constructively with all concerned parties with the goal of finding common ground on the issue. I continue to hope that stakeholders will make a good-faith effort to provide us hard data and information to help us understand better the interchange issue.

I am a strong believer in the private markets. But Missourians and other taxpayers across the Nation, as well as policymakers and experts, have significant questions about our private markets given the credit crisis that is at the root of the economic downturn. We cannot afford to take things at face value. Taxpayers deserve greater oversight on financial and business matters so that taxpayers are not asked to bail out irresponsible businesses, and small businesses do not feel that Government policy is unfairly weighted toward ''too big to fail'' companies.

This amendment is a small but important step. It helps Americans save money at the store. It gives American families more choices when they are checking out at the supermarket or cafe. It makes sure small businesses understand the rules and provides them some financial relief. It will provide immediate stimulus, since this is equivalent to a modest but broad tax break. I extend my appreciation to Senator DURBIN and his staff for their collaboration and cooperation in developing this amendment.

I strongly urge my colleagues to support the Durbin-Bond amendment, which is endorsed by small business groups and consumer groups.

I thank the managers and I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. I thank my colleague from Missouri. He is absolutely right. The interchange fees are a tremendously important issue. We have put in, at the urging of Senator CORKER on our committee, a thorough study of the interchange issue. It is complicated, and the Senator is correct. Among small businesses, this is a very onerous area and we need to address it.

I thought we needed to understand the fullness of the issue, so we talked about the study. Senators DURBIN, BOND, and others have a proposal that touches on the interchange issue. We are working with them to see if we can reach an agreement on that. We will make an effort to do that. I thank the Senator for his comments.

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. DODD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2009

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 627, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 627) to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

Pending:

Dodd/Shelby amendment No. 1058, in the nature of a substitute.

Landrieu amendment No. 1079 (to amendment No. 1058), to end abuse, promote disclosure, and provide protections to small businesses that rely on credit cards.

Collins/Lieberman amendment No. 1107 (to amendment No. 1058), to address criminal and fraudulent monetary transfers using stored value cards and other electronic devices.

Mr. DODD. 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. DORGAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Madam President, I have been on the floor often talking about the subprime loan scandal that led to the financial crisis we are involved in, in this country. I have held up charts on the floor that describe the solicitations from the mortgage companies and others that say: Come to us. If you have bad credit, if you have been bankrupt, come to us. We want to give you a home loan.

I have shown all of those—from Zoom Credit, from Millennium Mortgage, from the largest mortgage company in the country, Countrywide—all of them saying to people: You know what, if you have bad credit come to us. We want to loan you some money.

That subprime loan scandal was a tipping point for a significant difficult time for this country's economy and that time includes right now. I have talked about that at great length. But today we are talking about credit cards. The same influence exists with respect to credit cards. We have companies that just wallpaper this country with credit cards. Go to a college campus and try to find out how many credit cards they stick on those college campuses preapproved, saying to these kids: Get our credit card, please. Walk through the concourse of an airport and see how often you are accosted by someone who wants you to take their credit card. It is all over.

Last year the economy tipped over, and we went right into a financial crisis. But in that year, 2008, 4.2 billion credit card solicitations were mailed to consumers. Let me say that again. In the middle of an economic crisis, at a time when there was so much unbelievable leverage and debt out there, companies in this country sent 4.2 billion credit card solicitations to people.

Yes, some of them went to kids. The fact is, I spoke on the floor years ago about my 10-year-old son getting a Diners Club card saying it is preapproved, we want you to consider going to Paris, France. My son wasn't going to France. As a matter of fact, he was 10 years old, for God's sake. He had no money. He wasn't going to get a credit card. Was it a mistake that they sent him a credit card solicitation? Probably. But I went to the floor one day with a whole pile of them, saying you are preapproved, please take this piece of plastic, spend it where you want, as much as you want. Madam President, 4.2 billion new credit card solicitations went out last year alone. They don't seem to care who gets them, as I said with home mortgages, which are much larger than most of the limits on credit cards. For home mortgages they solicited people with bad credit. You have been bankrupt? Come to us. You do not pay your bills? Come to us. That is a business model I never learned about, by the way, but it is what happened. They created the house of cards and the whole thing collapsed.

With credit cards, the big companies out there—and by the way it is heavily concentrated—wallpaper this country with preapproved credit card solicitations: Come to us, load up; come on, spend what you don't have on things you don't need; come on, you can load up on my card.

Then when they got everybody with all these cards and substantial balances on the cards, here is what happened. This is a person from Minot.

My wife and I both have credit scores greater than 800 and have never been late on any of our payments so it is odd that Capital One just sent us a notice that our interest rate on our credit card will almost triple.

There they are, using a plastic credit card, paying their bills on time, and they are told we are going to triple your interest rate. At least they know it. That is not an excuse, but a whole lot of folks don't even know it.

Here is another constituent who wrote to me.

I just wanted to let you know how upset I am with my credit card company—Citibank. They have decided to raise my interest rate to 27 percent. I have always paid my bill on time and have a good credit rating—820. Why would a company who was bailed out by taxpayers because of bad practices then decide to stick it to us by raising the interest rate so high that it is competitive with the local Mafia rate?

There is no Mafia rate in Fairmont, I might say, but I get the point.

Williston, in my State:

Enough is enough. We shored up these banks with our hard earned tax dollars just to have them raise the interest rates on their credit cards to 28 percent and 26.3 percent—that's Bank of America and Capital One—for absolutely no reason. Something must be done.

One more:

I received a letter from my credit card company—

This person from North Dakota writes—

the Bank of America, that they are upping my interest rate from 7.99 to 18.4 on my credit card and we have not been late with a payment. We have been with them for 15 years. I want you to know I am really angry over this. Billions have been going to these banks and this is what we get for it.

Here is a solicitation for a bank debit card, Visa. You might look at that and say what are they trying to solicit? Some 70-year-old codgers who are retired, sitting around worrying about their teeth? No, they are trying to solicit kids. That is the purpose of the bow. It is a little like Joe Camel and cigarettes, except this is much more obvious, a credit card for kids. It is pink with a beautiful little bow.

Here is a statement from Bruce Giuliano, a senior vice president with a company that owned the Hello Kitty brand.

We think our target age group will be from 10 to 14 although it could certainly be younger.

How much younger than 10 years old can you get people to start using credit cards? That is unbelievable.

We think our target age group will be 10 to 14.

Here, by the way, is the Hello Kitty brand I was describing. Does it seem to you like they are targeting that 10-year-old to 14-year-old? It is a nice little pink thing with a kitty, new Platinum Plus Visa credit card with world

point rewards. If they could couple this with an airline and get 10-year-old kids flying to France, they would have what my son experienced, plus a pink credit card. It is unbelievable to me. We wonder why people are upset. You have a bunch of companies out there going after your kids to see if they can put plastic in their pockets, kids who never had a job and will never get a job—at least not when they are 10 years old—saying: Load up on debt.

Here, First Premium Card says:

Get our platinum credit card. We have a platinum card. Even if your credit is less than perfect.

Once again, a solicitation to say if you don't do so well paying your bills, we have a credit card for you.

Has anybody thought through that maybe this is what steered the country into the ditch? Has anybody thought about that? By the way, some of these financial companies are the ones that have gotten very large bailouts from the Federal Government.

This is interesting. This is a credit card, presumably, for somebody who does not pay their bills so well. So it is hard for them to get a credit card. Here is what they are going to do. It looks pretty good. It is actually a gold card with a $250 total credit limit. The problem is the annual fee is $48, the setup fee is $29, the program fee is $95, and the monthly servicing fee is $7. So if you pay all these fees to that bank, you get to have a piece of plastic in your purse or your wallet that allows you to charge up to $250. What an unbelievable opportunity for people who are not thinking or do not know or at least have been cheated by a company that suggests these terms.

This chart simply describes a college credit card. Everybody makes money on credit cards. That is why they accost you when you are going through the concourses at an airport—the airline is actually pushing credit cards. They are all making money on credit cards—including some colleges, by the way.

They wallpaper all of those college hallways with credit cards because if you can get someone at that age to start using credit cards with your company, then you have got them for a long period of time.

Now, 84 percent of undergraduates in college had at least one credit card, up from 76 percent in 2004. Midwestern students continue to carry the highest average number of credit cards, with more than half of the students—think of this—more than half of these college students have four or more credit cards. Again, a cultural lesson about debt? I don't think that is a lesson we want college students to understand. I am not suggesting college students should not have a credit card. I understand the value of that. But they ought to have a limit.

By the way, here is the other thing that happens with credit cards and college students. You cosign a credit card as a parent for the college student who does not have a job, and it is not very long before the credit card company ups the limit to the college student without telling the cosigner. I know that is an interesting business practice, to be pushing additional credit toward those who do not have income, but it is part of the culture of this country, I guess.

Undergraduates are carrying record-high credit card balances. The average balance grew to $3,100—the highest in the years the study has been conducted—and 21 percent of undergraduates had balances between $3,000 and $7,000.

My point is simple: This is some of the same culture and some of the same difficulty that has tipped this country's economy over, beginning with the subprime loan scandal in housing but very quickly going into credit cards.

Someone said to me a while back: You know something, nobody spends money like the Federal Government. I am talking about debt. The Federal Government has run up all of this debt. Shame on the Federal Government.

I said: I agree with you. This Government has to decide it can only deliver Government to the American people that the American people are willing to pay for. We cannot continue with these deficits.

But, I said, understand this: It is not just the Government. This culture has had a dramatic runup in household debt, a dramatic runup in corporate debt, you name it, all across the board, including trade debt.

But we are here today because Senator DODD has brought a bill to the floor with his colleague, Senator SHELBY, and they deserve great credit. They deserve a lot of credit from the American people for doing this. It is a piece of legislation that begins to put the brakes on, puts a bridle on those who are engaged in practices I have just described: aiming credit card solicitations at 10-, 12-, 14-year-old kids, wallpapering college campuses so that kids came up with four or more credit cards. The fact is many of these companies got involved in all of these unbelievable instruments—credit default swaps, CDOs, and shame on them. Shame on WaMu, shame on Wachovia, shame on the companies that did it. They are supposed to be banks. Banking is supposed to be reasonably conservative. Instead, they loaded up with unbelievable debt.

Now some of the same companies, by the way, that are putting credit cards out all over this country are saying to credit card customers: You know, I understand you have never been late, never missed a payment, been a customer for 20 years, but you know what, your 7.9 interest rate has now gone to 26 percent, and you are lucky we told you because some people are not going to know it. By the way, we are going to add some additional fees, and we do not care what you think about this.

This legislation says: No more. You cannot do that. It says: If you are going to go in this direction—way overboard, in many cases cheating customers—then we are going to put the brakes on.

Some people say: Well, of what business is it of the Government?

Well, you know what, we have a responsibility, it seems to me, to stand up for consumers. In this case, you have some very large companies that have engaged in this business and now, in recent years, have decided to impose very substantial fees and very high interest rates, in a way that I believe takes advantage of the people. These people are good citizens, pay their bills on time, are conscientious about it, and now discover that the company they have had a relationship with for a very long time has imposed all kinds of dramatic penalties and fees that customer does not deserve.

So this legislation is legislation that I believe will pass the Senate with a very wide margin. Why? Because I think those companies that have done this have invited this today. They asked for it. This Congress has a responsibility to stand up for the interests of the American people.

I come from a State in which Teddy Roosevelt lived for a while, and he always said: Had it not been for my time in North Dakota, I never would have been President. He was a rugged guy, and he went out there and ranched in North Dakota.

By the way, he was in the depths of despair because both his mother and his wife died in his home on the same day in New York. Think of it, losing your mother and your wife the same day on different floors of the same home. He went out to try to renew his spirit in the Badlands of North Dakota. He became a rancher and later became President of the United States.

One of the things I remember him for and the country remembers him for is as a ''trust buster,'' willing to take on the big interests, willing to stand up to the big interests when they rip into the interests of the American consumer, the American people. Thank God for what Teddy Roosevelt did in so many areas in trust busting.

In many ways, this is a smaller piece of that larger issue, taking on the bigger interests when they are taking on the American citizens in a way we believe is unfair and untoward.

So I came today simply to say to my colleagues, Senator DODD and Senator SHELBY, that I appreciate the work they have done. I am a strong supporter of this legislation, and I know we have some amendments back and forth. At some point, I am going to be proud to cast a ''yes'' vote.

I am not suggesting credit cards are bad—far from it. Credit cards are very helpful to the American people. I am suggesting there are some practices that have occurred that go way beyond that which is reasonable, and we are going to try to rein that in with this legislation.

Mr. CARPER. Madam President, I rise to speak for several minutes on the

legislation that is before us today dealing with credit cards, something that most of us have a personal experience with—we use them; we have had good experiences and bad experiences. In some respects, those experiences guide our views with respect to how we should legislate. That is understandable. It is true with me too.

Earlier today, I had a chance to participate in a number of call-in radio shows, some specific to Delaware, one to the Delmarva Peninsula, and one a national call-in show. People raised a variety of different issues about the legislation we are debating. What I did with some of the listeners, I took them back to the beginning and said: The reason why this legislation is before us actually grew out of the work of the Federal Reserve, which was begun over 2 years ago. The Federal Reserve sought to use their authority under the—I think it was the Federal Trade Commission law that says they have a responsibility to protect consumers. That includes protecting consumers as they use credit cards.

For roughly 2 years the Federal Reserve held hearings, received input from consumer groups, from individuals, from the industry, from other regulators, as to how we might better protect consumers.

In the end, the Federal Reserve sought to strike a balance. They sought to strike a balance that was fair to consumers and better protected their interests, which need to be better protected, and at the same time not to further disadvantage our financial institutions in this country, many of which are struggling literally to survive. That was the balance the Federal Reserve sought to strike. The Federal Reserve promulgated regulations last December after literally receiving tens of thousands of pages of comments on the draft regulations they promulgated earlier, last year.

What we are doing now is, rather than simply waiting on the Federal Reserve regulations to be implemented between now and July 1 of 2010, Congress is seeking to codify, to literally turn into law those regulations and in some cases to move the effective date of those regulations up earlier and in some cases to add some provisions that were not covered by the regulations.

One of the changes that is affected in this regulation was not raised in the regulation. It deals with credit cards and kids. It is really credit cards and people under the age of 21. My boys are 19 and 20. They are in college. They have been receiving preapproved credit card applications for a number of years, including when they were in high school. I think Senator DODD has talked about one of his girls, who I think is 7 or 8 years old, having received a preapproved credit card application at the tender age of 7 or 8.

The question is, do we need to do something differently? It is interesting that the Federal Reserve, in their regulations, did not think so. The legislation which comes out of the committee and comes to us for consideration says, no; we should do something. What the legislation calls for, for us to do differently in this country, is if a young person, under the age of 21, wants to sign up for a credit card, either, No. 1, their parent or guardian has to cosign for them, with them, for that credit card, or, No. 2, the young person has to demonstrate the ability to pay their debts.

For the most part it means have a job, have a source of income to pay their debts. That is something that is in addition to the Federal Reserve. I agree with that. I think it is a good change, and I think most of my colleagues do, too.

In terms of being guided by your own personal experiences, I don't know about the rest of you, but one person who called in today on a call-in show said: Why don't we just let the marketplace make the decisions for us? We are smart. We get these credit card solicitations in the mail. There are a lot of choices. Let the marketplace work, and let people choose what card they want.

As it turns out, we have a lot of smart people in the Senate, maybe staff who are even smarter. There are a lot of people in this country who, frankly, have not had the opportunity for an education that some of us have had, and they lack, as do some of us, the financial literacy that will enable them to make the right decision on a multitude of options, choices; to understand them, read the fine print and understand how it will impact them.

As a result, we are not going to just let the marketplace work as it worked in the past because it didn't work perfectly. What we are trying to do is correct some of the bad behavior, clean up some of the behavior on the part of the credit card issuers, and that will get to a point where the marketplace can work, and the market will actually work on behalf of consumers. That is really what we want to see happen.

I will use a couple of examples from my own personal life. I have three credit cards that I use. One of the credit cards I use is for my personal use. Another credit card I use is for government-related expenses, official business. A third is for campaign-related expenses. The Presiding Officer may have a similar kind of arrangement. It helps keep everything straight for me. That is a benefit, a real advantage, and I believe it is an example of how our credit cards can be used for our advantage.

I had a credit card several years ago for campaign-related expenses. I lived in Wilmington, DE. The credit card bill had to be paid in New Jersey. I was getting the bill about 10 days before it was due, and in one instance I remember sending a check for that bill and it took 5 days for my check to actually get to the credit card company and be credited as a payment—5 days, Wilmington, DE, to New Jersey. I could have driven it in less than 5 hours, but it took 5 days to credit.

The other thing I noticed about the credit card company, the due dates for my bill were always Saturdays or Sundays. They didn't process on Saturdays or Sundays. I finally realized what was happening, and I said we will not use that credit card again. I tore it up, paid it off, and got another credit card that did not have that problem. That is an example of letting market forces work.

Hopefully, a lot of us are smart enough to be able to do that sort of thing, but honest to God, not everybody is as sophisticated as they need to be to be able to lay that out for themselves.

Another issue that has come before us is the issue of caps, our credit card limits. If Senator GRASSLEY over here has a credit card limit, and I am his credit card issuer, he has a limit on the credit card he has from us, from our company, say, a $1,000 limit. Currently, if he exceeds the $1,000 limit, we let him. My credit card company lets him exceed it and he starts paying fees. If he continuously goes over the limit, he pays more and more fees.

I don't think that is the way the system should work. The Presiding Officer doesn't think that is the way the system should work. The legislation before us says that is not the way this system should work.

Going forward, when a person signs up for a credit card, if there is a limit—we will say there is a $1,000 limit—unless the cardholder objects, that will be a limit. It will be a hard cap. If the cardholders want to exceed that limit, they may do that, but they fully acknowledge that they will accept fees in doing so. I think that is a reasonable way to approach this.

There is another major issue that has been before us, the issue of whether the credit card companies should be able to assess risk and charge for that risk, the perceived higher risk on the part of the cardholder. We worked with Senator SHELBY, who is here today, to try to strike a reasonable balance that says, again, I am a credit card company, he is the credit card holder, and we send him his statement. He doesn't pay within 30 days. What the Federal Reserve said is after 30 days, credit card companies should have to charge a higher interest rate. We changed that a little bit, and we say we will give the cardholder 60 days. If the cardholder has not paid a minimum payment within that 60 days of it being due, the credit card company can raise the interest rate; however, we give the holder of the card 6 months on-time payments, minimum payments for 6 months, to earn back the lower interest rate. To me, that seems like a fair balance, looking out for the consumer, looking out for the company in addition.

I want to mention, yesterday we had the opportunity to debate the question of a usury ceiling. The question was 15 percent—shouldn't we have a 15-percent uniform usury ceiling on credit card rates. Maybe 33, 35 people voted

for it. I did not. I said to my colleagues wondering how they should vote, there are actually two or three problems with the amendment before us, or any usury ceiling rate.

If it is a 15-percent ceiling rate, the idea was we should limit banks to charging 15 percent because credit unions are limited to 15 percent. As it turns out, credit unions do not operate under the same rules of the road as banks. The banks complained the credit unions get a break and the banks do not enjoy that in a number of ways. To simply say because the credit unions are capping at 15 percent we ought to cap the banks at 15 percent, frankly, it is not a logical argument in my mind.

One thing I know is, if there were a limit of 15 percent, everybody here, all the Senators, would be able to get credit. Most of our staff would be able to get credit. The folks who would not be able to get credit are lower income people. They wouldn't be able to get a credit card because they may have a high risk, and if they do have a high risk and it is proven by their payments scheduled over time, those people are going to be cut off. That is not an intended consequence, it is an unintended consequence, but by virtue of not adopting yesterday's amendment we allow credit card companies to charge eventually for risk, but at the same time to offer the credit card holder the opportunity to earn back a lower rate of interest.

I compliment Senator DODD. I commend Senator SHELBY and their staffs. They have worked very hard to get us to a point where all of us, whether we happen to come from States where we have a lot of credit card companies or we happen to come from States where we have a lot of credit card holders, to try to get a right balance. I think you came really close to doing that. I understand we may have one amendment offered later today dealing with fees that are paid by, in some cases, the merchants—the interchange fees. I understand there is language in the underlying bill that says—this is not something on which we have had hearings, I understand, in the Banking Committee. I understand maybe other committees have had hearings on it years ago. We have not had hearings on this in the Banking Committee. It is a lot more complex than people would lead us to believe.

Why don't we give the appropriate agency, and I think in this case the GAO, the Government Accountability Office, a year to come back to us, study this, vet it, and tell us: This is what we think you should do. To me, this makes a lot more sense on the Senate floor, without having had the benefit of hearings, informed hearings from the Banking Committee, to tell us what we should do. Let's take our time and let's do this right.

I commend my colleagues. I thank them for giving my staff and me, other Members who have had an interest, whether on the committee or not, the opportunity to weigh in, express our concerns, and have the opportunity to shape in a small way the outcome of this legislation.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

AMENDMENT NO. 1107, AS MODIFIED

Mr. SHELBY. Madam President, I now ask unanimous consent the Collins amendment, No. 1107, be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment as modified, is as follows:

At the end of title V, add the following:

SEC. 511. STORED VALUE.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Homeland Security, shall issue regulations in final form implementing the Bank Secrecy Act, regarding the sale, issuance, redemption, or international transport of stored value, including stored value cards.

(b) CONSIDERATION OF INTERNATIONAL TRANSPORT.—Regulations under this section regarding international transport of stored value may include reporting requirements pursuant to section 5316 of title 31, United States Code.

(c) EMERGING METHODS FOR TRANSMITTAL AND STORAGE IN ELECTRONIC FORM.—Regulations under this section shall take into consideration current and future needs and methodologies for transmitting and storing value in electronic form.

AMENDMENT NO. 1079, AS MODIFIED

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. I ask unanimous consent that the Landrieu-Snowe amendment No. 1079 be modified as it is presently at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end of title V, add the following:

SEC. 503. EXTENDING TILA CREDIT CARD PROTECTIONS TO SMALL BUSINESSES.

(a) DEFINITION OF CONSUMER.—Section 103(h) of the Truth in Lending Act (15 U.S.C. 1602(h)) is amended—

(1) by inserting ''(1)'' after ''(h)''; and

(2) by adding at the end the following:

''(2) For purposes of any provision of this title relating to a credit card account under an open end credit plan, the term 'consumer' includes any business concern having 50 or fewer employees, whether or not the credit account is in the name of the business entity or an individual, or whether or not a subject credit transaction is for business or personal purposes.''.

(b) AMENDMENT TO EXEMPTIONS.—

(1) IN GENERAL.—Section 104 of the Truth in Lending Act (15 U.S.C. 1603) is amended—

(A) in paragraph (1), by inserting after ''agricultural purposes'' the following: ''(other than a credit transaction under an open end credit plan in which the consumer is a small business having 50 or fewer employees).''

(2) BUSINESS CREDIT CARD PROVISION.—Section 135 of the Truth in Lending Act (15 U.S.C. 1645) is amended by inserting after ''does not apply'' the following: ''with respect to any provision of this title relating to a credit card account under an open end credit plan in which the consumer is a small business having 50 or fewer employees or''.

Ms. LANDRIEU. Madam President, I would like to speak for 3 or 4 minutes. I see my colleague from Iowa is here to speak, so I will not take any more time.

I spoke briefly about this amendment when I introduced it on behalf of Senator SNOWE and others who joined us, from both sides of the aisle. I have spoken at some length with the chairman and ranking member as well. I am hoping we could have a positive outcome on this amendment because it is so important to our small businesses in America.

We have been trying with some degree of success to actually help small businesses on Main Street in our communities. I say ''with some success,'' because we all go home on the weekends and we continue to hear very serious complaints from our grocery stores and our hardware stores and our shoe repair shops and our cleaners and our business owners saying: Senator when is any help coming our way? You are giving all of these billions of dollars to Wall Street and to these big banks. Yet we are here really struggling. Is anyone listening to us in Washington?

OLYMPIA SNOWE and I, as chair and ranking member of the Small Business Committee, are doing what we can, saying: Yes, we are listening, and we want to be of some help. Every bill that comes to the floor, we try to put a lens on it: How is this helping small business?

This bill is a good step to help consumers, individuals, persons, who have a credit card. Unfortunately, the way the bill is currently drafted, it leaves out small businesses.

My amendment with Senator SNOWE will simply put them in this bill so when this bill passes, we can have a real celebration about helping, not just individual cardholders but small businesses that are struggling to keep their doors open.

Madam President, you serve on the Small Business Committee. You have heard the testimony, immediate past testimony, of, really, businesses that have 500 employees that are struggling, to businesses that have 2 employees; from a conservative perspective, from a liberal perspective, that have come before our committee. That is how this amendment came to be.

As I reviewed the underlying bill and thought there were some terrific things in this bill that will help credit card users, let me just quickly say, it bans at any time, for any reason, increases in rates. No more can credit card companies just raise your rate any time for any reason. That is eliminated in this bill.

No longer can credit card companies charge you for a balance that you paid. If you owe $1,000, you send them a check for $900, they can still, under current law, charge you interest on the entire $1,000.

That is not fair. It is not fair to individuals. It is not fair to small businesses. That will be corrected in this bill.

It simplifies disclosures. Yes, I believe in the free market, but I believe in order to have a free market you need to be able to read the print. Sometimes not only is the print small, but it is almost difficult to understand. So it is more simple disclosures.

I think small business owners need that opportunity as well. It prohibits credit card companies from charging interest on transaction fees that they add to monthly bills. So small business will get that benefit.

This is, in conclusion, not going to solve every challenge that small businesses have, but at least they will know there are Members of the Congress, Senators and House Members, who hear them, who are trying to do what we can to respond, and this amendment will actually cover 26 million small businesses in America, in addition to the millions of other credit cardholders, perhaps over 50 million, maybe more. This will include small businesses with less than 50 employees.

I would like to help every business in America. I will continue to work on that. But for this bill, because it was directed to individuals, we thought by keeping it to relatively small businesses, it would fit in the overall scope and framework of this bill.

Senator SNOWE and I are going to continue to work to expand credit opportunities for businesses with your help. This bill also is supported by Senator SHAHEEN, as an original cosponsor, and Senator CARDIN. I wish to thank them very much for their support and help.

I see my colleague from Iowa and will reserve the remainder of my remarks for Tuesday, when I hope we can vote on this amendment.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

GOVERNMENT-RUN HEALTH CARE

Mr. GRASSLEY. Madam President, for the benefit of my colleagues, I will only be speaking about 11 minutes or so. I will proceed.

Yesterday—no, it was not yesterday, 2 days ago—the Medicare trustees announced that Medicare's Part A hospital trust fund will be insolvent in 2017. That is 2 years sooner than last year's estimate. This announcement shines a spotlight on an issue Congress cannot ignore. Our largest Federal health program is on an unsustainable course.

Medicare, according to the trustees, is going broke. We have all heard the reasons over and over: People are living longer, health care costs are increasing, and most seniors are developing chronic and very costly conditions.

All this leaves the Federal Government with a $35 trillion unfunded liability over the next 75 years because the trustees always look ahead 75 years. That is updated annually.

Some in Congress recognize the financial black hole that is looming before us. I hope my colleagues know I am working with Senator BAUCUS and other members of the Finance Committee to reform the way the Government pays for health care.

Our options for delivery reform will bring the Medicare Program into the 21st century by improving quality and reducing costs. We desperately need to retake control of the costs of the Medicare Program, obviously, so it can be around for future generations. Yet in the face of that reality, some people think the best way to accomplish health care reform is to create another entitlement program.

In the face of Medicare's pending insolvency, some people want to create a new public program, a government-run health insurance program. I am one of the most vocal supporters of health care reform. We need to improve quality, access, and affordability. But we need to understand by adding another unsustainable government-run health insurance plan into our health care system, it cannot be the answer.

We cannot afford what we already have, so let's add more. Put that against the commonsense test. It does not make much sense. As the saying goes: History is a vast early warning system. Today, debate over health care reform is eerily similar to the debate in 1965, before Medicare was created.

Let's look at that history. Before the bill became law, doctors, hospitals, and other health care providers were concerned about this new government-run health care program that was passed back then. We call it Medicare.

Much like today, way back then, they were worried the Government would use this program to ration care and cut payments. To deal with these concerns, Congress and the President actually promised back then to doctors and others that they would continue to be paid, as the law says, the usual and customary rates.

That is why, to this very date, the Medicare legislation still states this:

> Nothing in this title shall authorize any Federal officer or employee to exercise any supervision or control over the practice of medicine or compensation of any person providing health care services.

That was written in 1965. It is still in the law. But—and a big ''but''—we all know that the cost and the political pressure has increased.

As a result, this section that I quoted, written in 1965, has become meaningless. Time and time again, Congress has intervened in medical decisions and cut reimbursement rates. Legislation in the late 1980s placed limits on what doctors could charge and put in place a government-mandated fee schedule.

One American Medical Association trustee recounted the AMA's original concern about Medicare by stating it this way: ''Many of the things we feared have come to pass.'' Surprise. Surprise. Despite the promise to pay ''reasonable rates'' when Medicare was created, today the Government pays between 60 and 70 percent of what private insurers pay.

By setting payment rates well below costs, it is becoming more and more difficult for seniors to find a doctor who accepts Medicare. Access issues for Medicaid, as we all know, are even worse. But some say we can avoid these problems by putting the government-run plan on a level playing field with private insurers.

They say Congress could set up a system so the government-run health insurance plan has to follow the same rules as private insurers. They say it would have to pay the same rates, form networks, be independently solvent, all sounding good. My question is this: When this new government-run health insurance plan starts to cost too much, then following the pattern since 1965 with Medicare, is Congress going to start breaking its promises? Will it change the rules?

A recent Wall Street Journal article tried to answer this question this way:

> Any policy guardrails built this year can be dismantled once the basic public option architecture is in place . . . That is what has always—

And ''always'' is emphasized—

> That is what has always happened with Government health programs.

Maybe at first Congress somehow repeals the requirement that the government-run plan has to form a network. Next, Congress might allow the Government plan to start paying lower rates than private insurers, just like we have done with Medicare and Medicaid. At that point, Congress might let the government-run plan dip into the Treasury from time to time to keep the Government plan solvent.

This, of course, would increase costs for everyone. As the Government takes more and more control over the plan, providers would get paid less and taxpayers would end up paying more. Rates for government-run health insurance plans would be lower than private insurers because Government can impose lower rates by law, also known—can you believe it—as price fixing.

This is a common talking point for supporters of the government-run plan. They say the Government can use its numbers to lower costs. But as the Government cuts payments to providers, costs will go up for everyone who is left in the private market. Slowly but surely the Government plan takes over the market. Eventually, all the promises about creating a level playing field have been broken, and we would be left with a single-payer, government-run health insurance plan, such as Canada.

Canada brags about having a single plan. But Canada does not have just a single plan. There is a second plan, and it is called the United States of America. So if you do not want to wait around 3 months for an MRI in Canada, you can come to the United States, if you have the money to do it and the time to do it, and get it right away.

But what happens if you have such a plan in America? Where do Americans go for what the plan does not provide

for our people when you have delay? Well, we will not go to Mexico, surely. Eventually, all the promises about creating a level playing field will have been broken, and we would be left with a single-payer, government-run health insurance plan.

The simple truth is, supporters of a government plan absolutely intend for this to be the outcome. Independent analysis by the Lewin Group agrees. According to Lewin's work, 119 million people would lose their private insurance. In other words, they would be crowded out. They would end up where? On the Government plan.

It also breaks one of the most important promises that President Obama made during his campaign, and I agree with this promise. What is it? If you like what you have now in the way of health insurance, you can keep it.

Independent analysis has shown that a government-run insurance plan will drive up prices in the private market and force employees and employers to drop that coverage. So the President does not get his plan or his promise during the campaign kept.

This, of course, will make our emergency rooms more crowded than they are today. It will limit access to high-quality care through rationing and price fixing. It will increase waiting time for lab results and lifesaving and life-enhancing procedures. It will add hundreds of billions of dollars of new Government spending.

This is not the kind of change the American people are looking for. Instead of creating a government-run plan and making a bunch of promises Congress cannot keep, let's create stronger rules and regulations for the private insurance market.

For instance, we should prohibit health plans from denying coverage to people with preexisting conditions and provide tax credits to people who cannot afford coverage.

Instead of introducing a government-run health insurance plan that would cost too much, limit choices, and lower quality, let's clean up the private market. Instead of introducing a government plan, let's help President Obama keep his promise that if you like what you have in the way of health insurance, you can keep it.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

GUANTANAMO BAY

Mr. THUNE. Mr. President, I have sought recognition to make a few observations on President Obama's request in the emergency war supplemental for $80 million in funding to close the detention facility at Guantanamo Bay. Shortly after taking office in January, President Obama announced, with much fanfare, the closure of the Guantanamo Bay detention facility. At the same time, he also said he would work with Congress on any legislation that might be appropriate.

But instead of consulting Congress, President Obama is asking for $80 million to close Guantanamo, with no justification or indication of a plan. The House Appropriations Committee has already refused to provide the funding because, in the words of the chairman of the committee, the President has no plan in place on what to do about the detainees housed there. We are now hearing reports that the Senate Appropriations Committee will be providing funding for Guantanamo and its version in the emergency war supplemental, but that it will be ''fenced off'' until the President provides a plan on disposition of the detainees held at Guantanamo Bay. I believe any plan to close Guantanamo that includes bringing these terrorists into the United States is a mistake. We don't want the killers who are held there to be brought into this country.

The administration is actively seeking to circumvent a Senate resolution which passed by a vote of 94 to 3 in July of 2007. That resolution stated the detainees housed at Guantanamo Bay should not be released into American society and not transferred stateside into facilities in American communities and neighborhoods.

In fact, not only does the Obama administration wish to hold open the possibility that some of these detainees may be transferred to facilities in American communities, it is even considering freeing some of them into American society. These are the 17 Chinese Uighurs whose combat status review tribunal records were deemed insufficient to support the conclusion that they are enemy combatants but cannot be returned to China because of fear that the Chinese Government will torture or kill them. At a press conference on March 26, ADM Dennis Blair, the Director of National Intelligence, went so far as to say:

> If we are to release them [the Uighurs] in the United States, we need some sort of assistance for them to start a new life.

However, the Uighur detainees are not simply unfortunate souls who happened to be scooped up on the battlefields of Afghanistan because they were in the wrong place at the wrong time. They took firearms training at camps run by the Eastern Turkistan Islamic Movement, which has been designated as a terrorist organization by the United States. They were at Tora Bora when we were heavily bombing that area and seeking to capture Osama bin Laden. The leader and chief instructor at these camps was Abdul Haq. In a Treasury Department advisory issued only a few weeks ago, the Obama administration labeled this man a ''brutal terrorist'' with ties to al-Qaida.

It is hard to believe that this administration is seriously considering freeing these men inside the United States, and, most outrageous of all, paying them to live freely within American communities and neighborhoods. The American people don't want these men walking the streets of America's neighborhoods.

Aside from the issue of turning loose into the United States people who have trained in terrorist camps, the American people don't want the Guantanamo detainees to be transferred to the United States and held in their backyards, either, whether at a military base or in a Federal prison. That is easy to understand when one looks at the details of the killers who are held at Guantanamo.

Guantanamo is home to some of the world's most dangerous terrorists. There are 27 members of al-Qaida's leadership held there, along with 95 lower level al-Qaida operatives, 9 members of the Taliban's leadership, 92 foreign fighters, and 12 Taliban fighters. Americans don't want these killers brought into the United States, but President Obama's January 22 of 2009 Executive order reads, in relevant part, that a review of all Guantanamo detentions:

> Shall identify and consider legal, logistical, and security issues relating to the potential transfer of individuals currently detained at Guantanamo to facilities within the United States.

In my view, President Obama is willfully ignoring the views of the Senate and its resolution passed, as I said earlier, by a bipartisan 94-to-3 votes. The detainees housed at Guantanamo should not be released into American society, nor should they be transferred to facilities in American communities and neighborhoods.

Since President Obama seems set on a course to bring these terrorists into the United States, I have worked with my colleague in the Senate, Senator INHOFE from Oklahoma, to introduce a bill that would prevent any taxpayer dollars from being used to transfer detainees held at Guantanamo to any facility in the United States or construct, improve, modify, or otherwise enhance any facility in the United States for the purpose of housing any Guantanamo detainees.

Transferring these terrorists held at Guantanamo to facilities in or near American communities could make those communities terrorist targets. I had the opportunity to question ADM Dennis Blair, the Director of National Intelligence, on the potential security threat of relocating the Guantanamo detainees to facilities in the United States during an Armed Services Committee hearing on current and future worldwide threats to the national security of the United States. Admiral

Blair acknowledged that moving those detainees to the United States ''does somewhat raise the threat level'' and ''does raise the concern somewhat.'' That does not give me comfort. If we must close Guantanamo Bay, it should not result in Americans being less safe.

Transferring these detainees would also stress the civilian governments in the communities where these detainees would be placed. These communities would be faced with overwhelming demand from roadblocks to identification checks, along with having increased security personnel necessary to deal with what is an obvious threat. The value of homes and businesses would decline. South Dakotans definitely don't want these detainees, and my support of the Guantanamo Detention Facility Safe Closure Act will help to ensure that these detainees will not be transferred to my home State of South Dakota or other States in the United States.

In conclusion, my view is that no Guantanamo detainee should be brought into the United States to be incarcerated, and certainly should not be brought into the United States and freed. Americans don't want these killers brought into their communities and neighborhoods, period. The Senate has clearly spoken on that front by a 94-to-3 vote on a resolution that we adopted in July of 2007 that detainees housed at Guantanamo Bay should not be released into American society and not transferred stateside to facilities in American communities and neighborhoods.

These detainees are hardened, trained terrorists who are very smart and extremely dangerous, who understand the strategic vulnerabilities of this country, and who are capable of exploiting any situation and any vulnerability to inflict death and destruction on the United States. These are not common criminals locked up in State or Federal prisons.

Guantanamo is secure. The facility is a $200 million, state-of-the-art prison. No one has ever escaped, and its location makes it extremely difficult to attack. Best of all, it is located hundreds of miles away from American communities. If President Obama wishes to close Guantanamo, he must do so in a way that keeps America safe.

In my view, America will be less safe if the Guantanamo detainees are brought into the United States. I will do everything I can to make certain that does not happen.

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. BROWN. 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. BROWN. Mr. President, I thank my friend from Arkansas, Senator LINCOLN, for her leadership on the credit card legislation and for her work on this bill. I also thank Chairman DODD for his work on the Credit Card Act. We have worked so many months on this vital legislation, and we are finally debating it on the floor. It is long overdue. For too long, credit card companies simply were not content in reporting record profit after record profit. They were not content making reasonable money at reasonable rates. They wanted more, and they wanted interest that was far above their cost for funds. They wanted fees and more fees and more fees. Up against your credit card limit? No problem. Instead of really being a limit, that ceiling served as a license to charge additional fees. For too long, the credit card companies convinced Washington to look the other way. No more.

While not all lenders that provide credit cards are engaging in the exorbitant and unethical practices, a great number are, and that is why this bill is crucial. It protects not only the consumer, but it protects the credit card companies from themselves. Nickel-and-diming doesn't begin to describe the billions of dollars out of which Americans have been cheated.

The bill would protect consumers from random, at-will interest rate increases and account changes. It would banish unfair application of card payments, and it protects consumers who pay on time and follow the rules. It would curtail fees and penalties and ensure that cardholders are informed of the terms of their accounts. This bill would help protect young people from credit card predators. We all know, if we have ever had teenagers in the last 15 years or so, that a huge number of solicitations keep coming at them. This legislation puts the well-being of millions of hard-working middle-class families first.

I have heard some outrageous complaints from big, multinational banks that claim this bill is unfair because to make the changes it requires would take years to implement.

It is a pretty weak argument for the big, sophisticated, multibillion dollar credit card companies, with armies of information technology employees and lawyers. It certainly doesn't take them a year to increase a fee or to figure out how to implement a universal default policy or to work the mathematical magic needed to implement retroactive pricing.

For too long, the big credit card companies didn't step up and do the right thing, so there should be no surprise that they must do so now. Millions of Americans—their customers—were left in the dark at the mercy of whatever sleight of hand or shell game credit card companies could contemplate. If there were a charge or policy imposed that consumers didn't agree with or understand, they were forced to dial a 1–800 number on the bill. If they were lucky, they could talk to an actual person who worked from a crib sheet on different ways to say no. If they took it further, they could run into an army of lawyers.

No more. Consumers in my State of Ohio, and across this country, are no longer alone. The Government is going to work for them. It is time our laws were on the side of hard-working men and women. That is why we are working on this comprehensive legislation protecting consumers from multibillion dollar predators.

Young people, who often are a prime target of these predators, will have heightened protections with this bill. I have spoken many times about the questionable practices of credit card companies which inundate our college campuses with their enticements and their advertisements. With the escalating price of a college education, and our Nation's financial problems, why would credit card companies dole out credit to unemployed or underemployed students? Because they can, and because no one has been willing to stand up to them, and no one—as this bill does—has been willing to stand up for those students. Now the Government is stepping in and will fairly regulate what was too often the wild west of consumer lending.

College students should have access to credit cards. They should have the ability to take out consumer loans. This is an important way to develop good credit practices and good credit for those students. But universities such as Ohio State—the Nation's largest university—tell their students to avoid taking on large amounts of credit card debt. Even so, many credit card companies flood campuses with deceptive advertising and hidden fees and penalties and unscrupulous practices. No more.

This bill shouldn't even be necessary. Credit card companies should be responsible corporate citizens. Sadly, many have not been willing to play fairly. Last November signaled a shift from large corporate shareholders running this country to middle-class families taking back the reins of government. This bill is one of the results of that change, with a new President and a different Congress actually putting the Government on the side of the middle class.

I am a cosponsor of the CARD Act, and because of that, I look forward to its passage.

I yield the floor, and I thank the Senator from Arkansas, Mrs. LINCOLN.

The PRESIDING OFFICER. The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The question is on the Collins amendment.

AMENDMENT NO. 1126 TO AMENDMENT NO. 1107

Mrs. LINCOLN. Mr. President, I call up a second-degree amendment to the pending Collins amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arkansas [Mrs. LINCOLN] proposes an amendment numbered 1126 to amendment No. 1107.

Mrs. LINCOLN. Mr. President, I ask unanimous consent that further reading of my amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Federal Deposit Insurance Act with respect to the extension of certain limitations)

At the end of the amendment, add the following:

SEC. 504. EXTENSION OF LIMITATIONS.

(a) IN GENERAL.—Section 44(f)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1831u(f)(1)) is amended—

(1) in subparagraph (B), by striking the period at the end and inserting ''; and'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by striking ''equal to not more than the greater of—'' and inserting the following: ''equal to—

''(A) not more than the greater of—''; and

(4) by adding at the end the following:

''(B) the State's maximum lawful annual percentage rate or 17 percent, to facilitate the uniform implementation of federally mandated or federally established programs and financings related thereto, including—

''(i) uniform accessibility of student loans, including the issuance of qualified student loan bonds as set forth in section 144(b) of the Internal Revenue Code of 1986;

''(ii) the uniform accessibility of mortgage loans, including the issuance of qualified mortgage bonds and qualified veterans' mortgage bonds as set forth in section 143 of such Code;

''(iii) the uniform accessibility of safe and affordable housing programs administered or subject to review by the Department of Housing and Urban Development, including—

''(I) the issuance of exempt facility bonds for qualified residential rental property as set forth in section 142(d) of such Code;

''(II) the issuance of low income housing tax credits as set forth in section 42 of such Code, to facilitate the uniform accessibility of provisions of the American Recovery and Reinvestment Act of 2009; and

''(III) the issuance of bonds and obligations issued under that Act, to facilitate economic development, higher education, and improvements to infrastructure, and the issuance of bonds and obligations issued under any provision of law to further the same; and

''(iv) to facilitate interstate commerce generally, including consumer loans, in the case of any person or governmental entity (other than a depository institution subject to subparagraph (A) and paragraph (2)).''.

(b) EFFECTIVE PERIOD.—The amendments made by subsection (a) shall apply with respect to contracts consummated during the period beginning on the date of enactment of this Act and ending on December 31, 2010.

Mrs. LINCOLN. Mr. President, I begin by commending Chairman DODD and the ranking member, Senator SHELBY, for putting together such an important package of reforms to protect our consumers all across this great Nation. Without a doubt, rampant credit card debt is a problem facing a great and growing number of Americans. In my own home, my twin 12-year-old boys get preapproved credit card requests weekly—at the age of 12.

Looking at how we can do a better job of both financial literacy and helping people during this time of credit crisis to be able to do a better job in terms of responsibility, the Federal Reserve's most recent data estimates that the average American household now has about $2,200 in credit card debt compared to an average of about $1,000 in 1992, and overall household debt has risen drastically, more than doubling in this last decade.

Confusing terms, constantly changing interest rates, and high penalty fees have all contributed to this trend, as many people struggle to effectively manage their credit and their credit card use and the debt they have.

While it is the responsibility, obviously, of consumers and borrowers to manage their own financial affairs, it is also absolutely essential that we ensure they have all the information they need, in an easily understandable form, so that they are able to make fully informed decisions about their credit and the amount of debt they might be incurring and what it means to their families; what the long-term implications might be. It is also important that credit card companies provide stable, easy to predict interest rates, and reasonable penalty fees that do not overly punish innocent mistakes that might be made.

This bill, on which Chairman DODD and Ranking Member SHELBY have worked so tirelessly, has come together in a bipartisan way to improve consumer protections regarding excessive fees, ever changing interest rates, and complex contracts seemingly designed to do one thing above all, and that is to keep people in debt. This bill will clean up the fine print so consumers don't get blemished by their credit card companies.

I am very pleased to be supporting the underlying bill, because ultimately I believe it will help restore fairness and common sense in our Nation's credit card practices.

On that note, talking about fairness and common sense, I wish to discuss the second-degree amendment to Senator COLLINS' amendment I have called up. This is an amendment I am offering on behalf of the entire Arkansas delegation—the entire delegation as well as our State officials, and others. This is a critical legislative proposal that will provide temporary emergency relief for an Arkansas-specific interest rate problem that is having a severe impact on Arkansas students, our consumers, our businesses, as well as our municipalities and our State government. We are all, in Arkansas, affected by this situation.

Arkansas is the only State in the Nation with an artificially low interest rate limit that is tied to the Federal discount rate. Under current law, the interest rate on special revenue bonds and nonbank consumer loans may not exceed 5 percent above the Federal discount rate, which is currently set at one-half percent. So we are completely uncompetitive. Other bonds are capped even lower, at 2 percent above the Federal discount rate. As a result of this, Arkansas State and local governments, our public universities and utilities—in search of financing for construction and improvement projects—are severely hampered by the current limit, as are our Arkansas consumers, who are facing a lack of credit availability, as is everyone in this great country during this economic crisis.

Practically speaking, the current interest rate limit—the top rate that is legally allowable in Arkansas on all nonbank lending—is no higher than 5½ percent. Not surprisingly, this low rate of interest has contributed to bond investors looking to other States across the country where their yields will be much higher, as well as credit rationing by nonbank lenders that have been forced to restrict funds to consumers—particularly now, when capital is so hard to come by anywhere else.

The biggest frustration of all for people in my State is that the Federal Government has continued to make this problem worse and worse by lowering the Federal rate. This was done in an effort to improve the economy, and we certainly understand that in Arkansas. The Fed took those measures in order to try to improve the economy overall. But since we are the only State that has that unusually low rate that is tied to the Fed, we are actually suffering tremendously from what is occurring. As I said, we do appreciate the Federal Reserve's actions in these recent months to continue lowering the Federal discount rate where necessary to combat the economic crisis and stave off a further decline in our financial markets, but the lowering of that rate has only exacerbated the economic challenges faced in our State, and in our State alone, for that reason.

Additionally, many of the tools put into place in the American Recovery and Reinvestment Act—the stimulus package that we offered earlier this year to jump-start our economy, such as the Recovery Zone bonds and the Build America bonds—are not available in our State because of our lack of competitiveness in the bond market, due to those abnormally low interest rates that are tied to the Fed. As stated in the recent Arkansas Democrat-Gazette article on this issue:

> The bond market has responded to the Build America program. Since its introduction, investors have purchased $8 billion in offerings, providing the bulk of activity in the taxable-bond sector. Arkansas is not in a position to take part.

This is an issue that impacts our State of Arkansas alone. We understand that, and Arkansas does intend to fix that problem. However, we can't do so immediately because this archaic clause in the Arkansas law must be rectified through a statewide ballot initiative. Therefore, a proposal to permanently modify this outdated law will be voted on by the people of Arkansas, but not until the next statewide ballot in 2010. Unfortunately, the economic challenges our Nation now faces are magnified in our State and immediate emergency intervention is

essential; otherwise, our State's recovery will lag behind due to a lack of capital in our State.

There is precedent for Federal action on this issue, as the Congress enacted an Arkansas-specific provision to exclude Arkansas bank lenders from this exact interest rate limit in 1999. The second-degree amendment we are offering today is even more limited in scope, allowing for a temporary relaxation of the current interest rate limit to a more reasonable level of no more than 17 percent until the State ballot initiative is considered.

This is temporary, it is an emergency for Arkansas, and it is only in regard to the State of Arkansas. This is merely a temporary bridge to get us through this immediate crisis. We are all part of this economic crisis in this great country, and we are working hard together to pull ourselves out of this ditch and to get the economy back on track. I would hate to think that my State, and my State alone, was the only one that could not access the stimulus dollars to help our universities, our airport authorities, our municipalities, and others to access some of those dollars, to help create jobs in our State, and to put people who may have lost jobs back to work. We want to be sure we have the resources as well in order to be a healthy part of reviving the economy in this great country.

This is a matter of great urgency for our State. This is a matter with broad consensus in our State. We have worked as an entire delegation and in a bipartisan way. We have the State government, our Governor, and others who have been working with us—just for Arkansas, because it is Arkansas specific—to figure out a way to provide that temporary bridge, that temporary assistance we need. Because if we wait until that ballot initiative, the stimulus package will be over and we will have missed that opportunity. So this is a matter we have been working on, as I said, in a bipartisan way to try to solve.

We hope we can count on the support of our colleagues when this amendment comes up later on today or whenever we vote on it. But I do plead with my colleagues, this is an Arkansas-specific issue. It is one that is detrimental to our State. We have an opportunity to help the people of Arkansas, the communities of Arkansas, the student loan authority, which can no longer issue new student loans because of that bonding authority and the cap that exists there. The problems that exist for us are monumental, and we want to ensure that over the next 18 months we too can be a part of reviving the economy of this great country.

I thank the Chair, 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.

Mrs. LINCOLN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. LINCOLN. Mr. President, I ask unanimous consent to have Senator PRYOR added as a cosponsor to my second-degree amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. LINCOLN. 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. 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.

Mr. INHOFE. Mr. President, since there is some time, I ask unanimous consent that I be acknowledged as in morning business for whatever time I shall consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUANTANAMO BAY

Mr. INHOFE. Mr. President, there are several things toward the end of the week that I was wanting to elaborate a little bit on. They are kind of unrelated subjects, but we do not get this opportunity very often.

The whole idea of Guantanamo Bay is something that I know a lot of people have talked about. I was very proud at the inauguration when our new President, President Obama, gave a lot of statements that were, I thought, logical, and, frankly, a speech that I could very well have made—not as eloquently as he but from a content perspective.

He said, in relationship to the problem of Gitmo, or Guantanamo Bay, that, yes, we want to close that. However, we first must figure out what we are going to do with the detainees, recognizing that there are 245 detainees, recognizing further that there will be more as there is an escalation in activity in Afghanistan and that there is no place else to put these people.

I felt pretty satisfied at that time that this great American resource we have called Guantanamo Bay is something we need to keep. It is one of the few good deals the Government has. We have had it since 1903. It is a resource unlike anything else, not only in our holdings but anyplace in the world. It is a place where we have actually built a courtroom that will handle tribunals, that will handle cases with rules of evidence that would fit tribunals as opposed to our court system. I felt pretty comfortable knowing there is nothing that can be done with the 245 detainees. Many are very dangerous terrorists.

Since that time, he has changed his position. Now he is saying we will close it regardless. He has already closed the courtroom. This facility took 12 months to build. It cost $12 million. There is nothing else quite like it. If we are going to ever adjudicate these individuals, bring them to trial, we have to put them someplace. One of the alternatives would be our court system. Obviously, that is not a good idea. Most thinking people realize it is not a good idea because, the rules of evidence being different from what they are in a normal criminal case, most likely we would not get convictions. What happens when you don't get convictions? You turn people loose. If there is anything we don't want, it is terrorists being turned loose. The politics of that is such that people who want to close Guantanamo Bay are backing away from that issue, but they are still talking about closing it.

I have had occasion to be down there several times. The last time I was there, I used a new technology that I didn't understand too well: YouTube. I did a program down there from Guantanamo. I commented at that time: Here we are with about six levels of security for six levels of detainees. There is no place else like it where we can do something like this.

In terms of how they are treated, I have had them say, with a translator, that it is probably the best food they have ever had in their lives. There is one medical practitioner—in most cases, a doctor—for each two detainees. Where else will you find that? There are procedures that are offered to the detainees that they would never have offered anywhere else. For instance, when they offered a colonoscopy, which was described to the detainees in terms of what it entailed, they decided they didn't want it. Nonetheless, these were things that were offered in the way of health care.

In the case of torture, there has never been a documented case of waterboarding or any severe torture taking place there. I can remember the week after 9/11, when we had immediately a few people in there. I went down and found that our own troops who were stationed down there were not treated as well as the detainees.

Even if that were not true, there is no other place that we can put them. There has been a proposal that there are some 17 detention installations in the United States that would be suitable for these people. One of them happens to be Fort Sill, which happens to be in Oklahoma. I went to Fort Sill and talked to a young lady there who is a sergeant major. This is in Lawton, OK. I talked to her about this. She said: Senator, I have to ask you a question. Why is it that everyone is so concerned about closing Guantanamo Bay? This facility here is not nearly as suitable for detainees.

Then she went on to explain why this separation of people and of classes of security problems. She said: Besides that, I spent 2 years—this is Sergeant Major Carter, stationed at Fort Sill—at Guantanamo Bay. That facility is better than any Federal facility we have.

Why is it we are so bent, just because of some ugly rumors that are not true about treatment of detainees, on closing a resource we have had and we are still paying $4,000 a year for, as we have been ever since 1903? You don't get many bargains like that in government. Anyway, they seem to be concerned about doing that.

I believe public pressure is going to come around on our side and common sense will prevail and we will not close that resource. We will need it in the future. We need it today. We have needed it in the past. It has served us well.

As this moves along, I hope the public knows there are several of us who are going to make sure we do not do anything that is going to allow some of these detainees to be floating around in the continental United States. If we are inclined to do this program where we put them in some 17 installations, we will have 17 magnets for terrorism in the United States. That is not going to happen.

THE FIRST ONE HUNDRED DAYS

I also wish to talk about the striking similarities between what is happening today and what happened back in 1993.

The first 100 days of President Obama's administration will be remembered for its unprecedented level of new Federal spending—no question about that; no Democrat or Republican can deny that—and the return to big government. This, together with his advocacy of far-left, liberal causes—everything from abortion rights, to gun control, to universal health care—will put him on a track to repeat the performance of 1993, when a very attractive, young Bill Clinton entered the Oval Office under the banner of change. After Americans realized that his so-called change was simply an extremely leftwing position, the American people revolted and put Republicans back in charge of Congress. If President Obama continues down this path, I would not be surprised to see that happen again in 2010.

Nothing is more indicative of the stark contrast between conservatives and liberals than the massive Government spending spree now underway in Washington. In his first year in office, Bill Clinton put forward what was then the largest budget to date in our history. It was $1.5 trillion. It included domestic spending of some $123 billion.

Now in this 100th day of President Obama's administration, the Senate is poised to vote on what would become the largest budget to date. This budget, which highlights his priorities, is the most radical and partisan budget we have ever seen. It includes $4.4 trillion in additional deficits and $3.5 trillion in total spending. Let's compare that to 1993. I was down on the floor complaining about a $1.5 trillion budget. This is a $3.5 trillion budget.

When I go back to Oklahoma, sometimes I come to the conclusion that there aren't any normal people in Washington, because they ask the question: Senator, how can we afford all this spending when we had a stimulus bill of $789 billion, increasing debt by $1.8 trillion in the first year, and a $3.5 trillion budget? Where is the money going to come from?

Here I am, the senior Senator from Oklahoma, and I can't answer the question. We do have choices. We can borrow. We can print it. It will have to be a combination of the above. We know all of the very damaging effects: $1 trillion in taxes on individuals and businesses, a $634 billion downpayment for government-run health insurance. There is another similarity. Remember, in 1993 it was called Hillary health care. The concept was the Government can run a health care system better than people can. I always invite people who believe that to go spend some time in some of the hospitals up north; the Mayo Clinic and some others come to mind. See the number of people who are there who came over from Canada because they couldn't get treatment. Maybe their age was right above the federal guideline for a particular type of procedure, and they could no longer do it. Again, the similarities are so similar, 1993 and what is happening today. Then, of course, we had the Wall Street bailout and all of that.

I am very concerned about the direction this administration has proposed to take us. Anyone who works hard, plays by the rules, pays taxes, drives a car, turns on the lights, saves, invests, donates to charity, or plans to be successful should also be concerned.

Defense cuts—I probably am more concerned about this than most Members. I am the second ranking member of the Armed Services Committee. I have watched what is going on. To me, it is deplorable.

I happened to be in Afghanistan when Secretary Gates came out with Obama's defense cuts. They tried to claim they are not defense cuts. They are. It is just that they are talking about the DOD appropriations bill versus all the other funding sources that have been used before.

The best evidence that they are cuts is what has happened to our platforms. Right now, the F–22 is the only platform we have that is fifth-generation maturity. This is something he is stopping right now. We were originally supposed to have 750 F–22s. Now we will stop at 187. At the same time, you have China with its J–12, Russia with its SU series, a fifth-generation airplane. That is going to put us in a position where it will hurt and hurt bad.

The same thing is true with the Future Combat Systems. We have been working on that for 8 years now since Shinseki helped to start it. It is the first transition in ground capability in at least 50 years. This is something we have been working on so that we don't send our kids into battle against countries that might have a better artillery piece and better equipment than we. He axed that program.

How long has it been since we started working with the Parliament of Poland and the Czech Republic to get them to let us put a radar system in the Czech Republic and interceptor capability in Poland so that when Iran gets the capability of sending a nuclear missile over to western Europe or the eastern United States, we would have the ability to shoot it down? It didn't happen. The Parliaments that had to be politically pretty strong to agree to do that. Now they are sitting back and finding out that they are talking about axing that program too.

The airborne laser is the closest thing we have to knocking down a missile in the boost phase. We were coming along with that program. They axed that program too.

I am very concerned about what happens and what has happened in this budget to our capability of defending ourselves. Then I go back to 1993. That is exactly what happened back then. If we look at the 8 years of the Clinton administration, we cut military spending from what would be just a straight line by $412 billion in that period. Of course, we ended up cutting our military by about 40 percent over that period.

The bottom line is, all these programs were cut. I happened to be in Afghanistan when that happened. We did a report from over there. We could see the Bradleys driving by and the helicopters taking off, the bad weather, soldiers coming back from patrols and turning on the tube and finding out President Obama is going to gut the military. It is totally unacceptable. But that is the same thing that happened in 1993. It is déjà vu all over again.

Gun control is the same. We see now that they are going to try to get us to sign on to a treaty that is called CIFTA, a treaty in the Western Hemisphere where we will all get together and we will allow Central America and Mexico and South America and Canada to determine what gun manufacturers can do. It is the first major step to gun control, in violation of second amendment rights. People care about that. It is exactly what happened with Bill Clinton in 1993.

Energy taxes—back when Bill Clinton was doing it, it was called the Btu tax. That stands for British thermal unit. It was a massive tax increase on energy and very similar to what they are trying to do right now—which, incidentally, I have no doubt we will stop them from being able to do—the cap-and-trade tax. One thing about the cap-and-trade tax, that is something that is not just a one-shot deal like the stimulus bill. That is every year. It would be somewhere around $350 billion a year in taxes on the American people, a regressive tax because it is a tax on energy. People with lower incomes spend a larger percentage of their expendable income on that kind of energy than rich people do.

We are not going to let that happen. I tell all my friends, we have been fighting that battle now for 8 years,

and it is over. We are not going to let that happen in America. But that is what Bill Clinton tried to do in 1993. It is the same thing all over again.

We went through the same thing on abortion. I think personally there is no mission more important than standing up for the sanctity of human life. Here again, President Obama, like President Clinton, quickly moved to appease pro-abortion advocates.

Just a few days ago, the Senate confirmed Kathleen Sebelius for Secretary of Health and Human Services. As Governor of Kansas since 2002, she has a clear record of supporting abortion and policies that I believe impact the health and safety of women and parental rights. Again, it is abortion. Either you are for it or against it. But this is one of the strong pro-abortion positions in 1993 that now we are getting again out of this administration.

So when you look at this, I cannot help but think that all the signs are there, that we are seeing the same thing now that we saw back in 1993. I believe we are going to be positioned to keep a lot of these things from happening, No. 1, and No. 2, let's remember what happened in 1993. Young, attractive Bill Clinton went in as President of the United States, and he had the House and he had the Senate, and he had it all just as President Obama has it all. He has the House and the Senate. Therefore, it is not someone else's fault for all these programs. Consequently, we had a major turnover in the 1994 election. Republicans took over the House and the Senate. So I just warn my liberal friends from the other side of the aisle, be real careful. Watch what you are doing because it could very well happen again.

EPA'S ENDANGERMENT FINDING

Mr. President, I do have something that is a little heavier lifting subject. I am the ranking member of the Environment and Public Works Committee. When the Republicans were in the majority, I was chairman of it.

Something is happening right now, and something happened Tuesday morning. I want to make sure everybody understands, as this week is coming to an end, that on April 17, the administration set in motion a ticking timebomb with its release of a proposed endangerment finding for carbon dioxide and five other greenhouse gases. This proposal finds—this, incidentally, is what all the scientists do not agree with—this proposal finds that carbon dioxide is a dangerous pollutant that threatens the public health and welfare and therefore must be regulated under the Clean Air Act.

This is interesting because they first tried to pass cap and trade. They know there are not the votes for it. There are in the House. Speaker PELOSI pretty much gets anything she wants through. It is a simple majority vote over there. Over here, it would take 60 votes to pass that massive tax increase, and we are not going to do it because they do not have more than 34, maybe 35 votes, and it takes 60 votes. But, nonetheless, since they cannot do it, they decided to do it under the Clean Air Act and do it through regulation so it could be done from the White House. This so-called endangerment finding sets the clock ticking on a vast array of regulations and taxes, with little or no political debate or congressional control.

On May 12, we learned of a White House document. This is significant. We did not know it was there. I want to credit our committee, the Environment and Public Works Committee—the minority side—for finding this document. It is a White House document marked ''privileged and confidential.'' It was buried deep within the docket of the proposed rule. It outlines some of the very same concerns shared by me and many of my colleagues, including Senator BARRASSO. I could not be here for that Tuesday morning meeting, and he was good enough to take this memo and expose it and did an excellent job of it.

Keep in mind, we are talking about their proposal for new taxes, new regulations—all these things they want to go through with because they cannot legislatively pass a cap-and-trade—or cap-and-tax, as some call it—proposal.

The document we found—allegedly a compilation of concerns from unnamed officials within the White House, or the administration, as part of an interagency review of the proposed regulation—raises some questions, very serious criticisms of the endangerment proposal. Chief among them are questions raised about the link between the EPA's scientific argument for endangerment and its political summary.

I am going to quote from it. I have three quotes. Keep in mind, this came from the administration. This report says:

> The finding rests heavily on the precautionary principle, but the amount of acknowledged lack of understanding about basic facts surrounding greenhouse gases seems to stretch the precautionary principle to providing for regulation in the face of unprecedented uncertainty.

In other words, what they are saying there is that the science is not there; we do not know yet; we know there are a lot of problems with this, and we should not be rushing into it. This came from the White House. I am glad we found it.

Here is a further quote. Additionally, it says:

> There is a concern that EPA is making a finding based on ''harm'' from substances that have no demonstrated direct health effects, such as respiratory or toxic effects, and that available scientific data that purports to conclusively establish the nature and the extent of the adverse public health and welfare effects are almost exclusively from non-EPA sources.

Again, this is not me talking, this is a quote from the White House in a buried document we fortunately—but surprisingly—did find.

You can ask: What source is the EPA relying on if it is going to go through all this? That source is the U.N.'s Intergovernmental Panel on Climate Change. This is where it all started. It was the United Nations that started this whole issue of greenhouse gases, of CO_2, anthropogenic gases, and methane causing global warming. When you look at their ''Fourth Assessment Report'', which, as I have documented before many times in speeches on this Senate floor, is a political and not a science-based body, it has no accountability here in the United States.

You keep hearing people say: What about the NAS, the National Academy of Sciences? What about them? They are scientists.

The reports they give are not from the NAS, they are from the political review or the summary for policymakers, which is a political document, not another document.

In addition, this White House memo also warns of a cascade of unintended regulatory consequences if the endangerment finding is finalized. It states—and again, I am quoting from this report:

> Making the decision to regulate CO_2 under the Clean Air Act—

That is what they want to do, regulate CO_2 under the Clean Air Act—

> for the first time is likely to have serious economic consequences for regulated entities throughout the U.S. economy, including small business and small communities.

This report talks about the small businesses, the small communities, churches, other groups that are going to be adversely affected by this. Again, this is a document that came out of the White House.

Now, for one thing, I am glad to know we are not alone with our concerns and that several in the Obama administration share views similar to ours on the endangerment finding. I am hopeful more will come forward.

So what was the administration's official response to the release of this memo? Well, it depended on whom you asked. One source in the Obama administration chose to again blame it on the Bush administration, stating it was written by a holdover appointed by George W. Bush. However, earlier in the day, Peter Orszag, who heads the White House budget office, where the memo apparently came from, stated that the quotations circulating in the press are from a document in which the OMB simply ''collated and collected disparate comments from various agencies during the interagency review process of the proposed finding. These collected comments were not necessarily internally consistent, since they came from multiple sources, and they do not necessarily represent the views of either OMB or the Administration.'' Well, it is fine to say this, but that is where it came from. It came from the administration. It is very fortunate we found it.

It begs the question: Does this document reflect one rogue leftover Bush appointee, who, based on followup news

reports, actually appears to be a Democrat or does it reflect a more systematic summary of comments from various agencies that have serious concerns with the proposed finding, as Orszag suggested? I am hoping someone from the administration will come forth with a consistent response.

In either case, I welcome the comments as an open and honest discussion of the potential costs, benefits, and legal justifications for such a finding.

Regardless of the Supreme Court decision, the EPA has the discretion to carefully weight the science and the causes and effects in its determination of endangerment, and, despite recent claims by administration officials, it is under no court order to find in the affirmative that such greenhouse gases endanger public health or welfare or cause or contribute to air pollution.

If we are going to have a debate on this issue, let's have it here in Congress, where the American people deserve an open and honest discussion about the costs and alleged benefits, about the effectiveness of such policies and what it will mean to the consumers who ultimately pay the bill. As I said before, it is going to be the poorer Americans who pay the larger percentage of their incomes who are going to be punished.

By the way, we had the debate here. In the House, they have never had the debate because it has never come up as an issue. Here we had the debate during the ratification debate on the Kyoto treaty. And we had the McCain-Lieberman bill, the Warner-Lieberman bill, the Boxer—there is another bill that came up just in the last year. So we have had the debate, a full and open debate, and we are going to have to debate this issue because there is an effort to try to do through regulation what they cannot do through open debate in the process on the floor.

The administration, and this EPA in particular, has claimed they will usher in a new era of transparency. In April, Administrator Jackson issued a sweeping memo to all EPA employees committing the agency to an unprecedented level of transparency. I applaud her for it. She told me this in my office. We also found that she made this statement in a private memo to Members. So she is being very honest in what her effort is. I have a feeling a lot of this stuff is happening, and she is not even aware of it.

She says—and this is a quote; this is beautiful:

> The success of our environmental efforts depends on earning and maintaining the trust of the public we serve. The American people will not trust us to protect their health or their environment if they do not trust us to be transparent and inclusive in our decision-making. To earn this trust, we must conduct business with the public openly and fairly.

Again, this is Lisa Jackson, the new Administrator of the EPA. I applaud her for saying this.

> This requires not only that EPA remain open and accessible to those representing all points of view, but also that EPA offices responsible for decisions take affirmative steps to solicit the views of those who will be affected by these decisions.

She went on to say at her confirmation hearing—not only did she reaffirm this statement, but she said she would be responsive to us on the minority side, the same as she would be to the majority, and I believe that.

Certainly, the allegations in this White House memo make one question whether the EPA is open and accessible to all points of view. For one thing, it was marked ''privileged and confidential,'' which tells me that perhaps they knew about it, but then they did not want to use it and they did not want people to find out about it. Nonetheless, the document speaks for itself.

My colleagues may criticize the Bush administration for how it handled the endangerment finding, but at least they did not try to bury or hide these types of comments when it proposed its advance notice of proposed rulemaking last summer. I know a lot of this sounds a little confusing. This is a process you go through, an advance notice of proposed rulemaking. In fact, the previous administration; that is, the Bush administration, went so far as to lay all of these comments out in public view so all sides could be represented. If this latest action is any indication of how the EPA has begun to operate, then the American public should have serious reason to be concerned.

On this CO_2 endangerment issue—potentially the largest and most sweeping regulatory effort ever to be proposed—transparency should be a cornerstone of every agency action. Opinions from all sides, pro and con—and certainly from all other agencies—should be weighed equally and fairly and, just as important, openly, in full view of the American people. The American people deserve to know all sides, all costs, and all benefits. This thing is so costly, and with the questionable benefits, this is that much more important.

Because of these issues, I am hopeful the Administrator will commit to a determination on endangerment that would be based on the record of the scientific data and empirical evidence rather than political or other nonscientific considerations. It is of the utmost importance that regulatory matters of this scope and magnitude be based on the most objective, balanced scientific and empirical data.

While I am still hopeful that ultimately Congress or the agency will decide to take this option off the table, a full on-the-record examination during any endangerment rulemaking should be a minimum requirement of transparency.

But the administration has essentially politicized the issue by presenting policymakers with a false choice. The choice is to use an outdated, ill-equipped, and economically disastrous option under the Clean Air Act or pick another bad option—cap and trade—that commits us to requirements for unaffordable technology and would certainly be the largest consistent annual tax increase in the history of America. This isn't going to happen.

I would repeat we are fortunate in that we have had this debate, and each time we have the debate, there are more and more people who come down and say: Well, I didn't know it was going to cost that much money. Back in the original Kyoto days, it appeared that a majority of the people, in fact, in the Senate would support that type of an approach.

By the way, I have to say this: The Kyoto treaty was one thing. That is a treaty that affects the whole world, a lot of developed nations and some undeveloped nations. It was something you signed onto and everyone signs onto and everyone agrees to. Since that didn't happen—and even if you are one of those individuals who believes that anthropogenic gases, CO_2, and methane are causing global warming—if you believe it, which isn't true, but if you did believe it—then does it make sense for us to pass something unilaterally in the Senate, making us less competitive than the rest of the world? What is going to happen to our manufacturing base? What is left of it is going to end up in places such as China, India, and Mexico, where they don't have these emission requirements. What is going to happen then? There will be a net increase in CO_2.

Back to the memo, and I will conclude with this. I have to repeat what the memo says. This was a memo that was advice to the process from the White House.

> The finding rests heavily on the precautionary principle, but the amount of acknowledged lack of understanding about basic facts surrounding greenhouse gases would seem to stretch the precautionary principle to providing for regulation in the face of unprecedented uncertainty.

In other words, it is uncertain.

Further, it states:

> There is a concern that EPA is making a finding based on harm from substances that have no demonstrated direct health effects such as respiratory or toxic effects, and that available scientific data that purports to conclusively establish the nature and extent of the adverse public health and welfare effects are almost exclusively from non-EPA sources.

That is an admission.

Finally:

> Making the decision—

Which I hope we will not make the decision to do, but we will oppose that decision—

> to regulate CO_2 under the Clean Air Act for the first time is likely to have serious economic consequences for regulated entities throughout the United States economy, including small businesses and small communities.

In other words, nobody wins. Nobody wins.

So with that, I would say there is this effort that what they cannot do

legislatively they want to do through regulations, and we are not going to allow that to happen.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague from Oklahoma for yielding. There are two issues I wish to address. The first will be this bill, in particular, the gift card title in the Credit Card Act. Secondly, I wish to speak a little bit about the NTSB hearings on flight 3407 which, as my colleagues know, crashed outside Buffalo and Clarence with a tragic result.

First, before I get into the substance on gift cards, I wish to commend Senator DODD, Senator SHELBY, and all the members of the Banking Committee for doing an excellent job on this bill. The bottom line is we need good, strong, tough regulation on credit cards. The days when disclosure was enough are over. I happened to believe that once and worked hard for disclosure measures. There is something called the ''Schumer box'' that is on all credit card solicitations applications because it puts in large letters the interest rates. Back in the old days, that worked. Every credit card, even though interest rates were 6, 7, 8 percent, was at 19.8 percent, but you couldn't find that out. So when people signed up for a credit card, they had no idea what interest rate they were paying. Once the box got on the solicitations, on the applications, interest rates came down. Good old-fashioned American competition began to work.

But in recent years—maybe they just got smarter or maybe they got more desperate for profits—credit card companies have found a way around disclosure. A person believes they are signing up for one rate, but then in the fine print, basically, if you wake up out of bed, the rate goes higher—much higher. We have gotten letters and heard stories from people who were on a 7-percent fixed rate and it went up to 23 percent overnight.

If it is on a future balance, that is fine. You can get another credit card. But it isn't. These rates go up on existing balances. Let's say you have a $4,000 balance, which is the average for American families with credit cards. Calculate it. You go from 7 percent a month on $4,000 to 23 percent on $4,000, and that is a difference of hundreds of dollars a month. These days, with the economy the way it is, with families struggling to make ends meet, a couple hundred dollars a month is the difference between being able to survive and perhaps going bankrupt; being able to survive and not being able to provide some of the basic necessities.

The legislation before us stops all those practices. The frustration, I must say, on both sides of the aisle, with the practices of the credit card industry is mounting. I would say to those in the credit card industry: Unless you get your act together, there may be other amendments and bills you will not find to your liking. It is about time to be responsible. I understand the banking industry is in tough times, and we all hope they will recover, but to recover by taking advantage of consumers is unfair, unwise, wrong, and we aim to stop it with this legislation.

The provision I wish to address specifically is one that I worked on with the Presiding Officer. We are both sponsors. The Senator from Colorado has done great work on this legislation, and I wish to thank him for his assistance as we move it forward. I also wish to thank, on this particular issue, both Senator DODD and Senator SHELBY, who walked the extra mile. I think it shows that if you work hard at legislating, and you are willing to compromise, it pays off. The original bill the Presiding Officer and I put in was tougher than the proposal here, but the proposal here is good and strong. It makes a huge difference between what exists now—which is virtually nothing—and what will become law, and it is something I think everyone can be proud of.

I also wish to thank those in the consumer industry. As do I, as well as the Presiding Officer, they wanted a stronger bill, but they understood that when you legislate, you can't let the perfect be the enemy of the good. Getting something strong is better than getting nothing, even if you would have preferred something stronger.

Well, we are all familiar with gift cards. In many ways, they are the perfect present. You get the opportunity to choose whatever you want the most. When you get a gift card, it is great. You can think of 15 different things you want and decide which one you want to buy. You can go to the store, pick out what you want, and get it without spending a dime of your own money.

We have all opened that gift from Aunt Edna and wished she had spent the money on a gift card instead of that sweater you are never going to wear. I, for one, am not very good at picking out gifts. So gift cards are a boon to me, not only as a recipient but as somebody who gives gifts because I can buy the gift card, and I can breathe a sigh of relief that my family member or friend will have something they want instead of something I have chosen that they might not want at all, which often happens when I choose gifts. I guess I am a little like Aunt Edna.

Gift cards are a very good thing, and we don't want to snuff them out or limit their extent.

But what most people do not realize is that these gift cards often come with hidden fees and short expiration dates. After a period of time that can be as short as 6 months, the issuer begins charging value off the cards, reducing their value and depriving recipients of their gifts. That means if your mom or aunt or friend did their holiday shopping early, by the time April or May rolled around, you could be slowly but surely giving your gift card back to the bank piece by piece by piece.

Consumers usually pay a high fee when you buy the card, sometimes as much as 20 percent of the value. Well, on top of that, the recipient of the cards faces other charges such as monthly maintenance fees, dormancy fees or even a separate fee for each time the card is used. That is not fair. It is not fair when you get a gift card, say, at Christmastime and you say: I will save it until June to buy something I can use in the summer, and you go to the store and the gift card doesn't have the whole value on the card. That is not right. It is not fair. Frankly, it is not what the giver signed up for when he or she bought that card and gave it to you in a gesture of friendship or love.

For years, issuers of these cards have used fees to make hefty profits, largely on the backs of consumers, but with this legislation we are going to ensure that recipients are protected and can use their cards free of these duplicitous fees for a reasonable period of time.

First, the bill ensures that no fee can be charged unless there is no activity on the card for 12 consecutive months from the date on which the last charge is imposed. Let me explain. If you purchased the card the week before Christmas and give it to your child, parent, spouse on Christmas Day, for a whole year, until next Christmas, that card doesn't decline in value one penny. That is a very good thing and very much needed. During that year, if you use the card once but don't use the whole value—let's say it is a $50 card and you buy something for $22—the 12-month period starts again so you have plenty of time to use the card.

Second, the bill will require the Federal Reserve to determine a fair amount for the fees and set a minimum balance above which fees can't be charged. So the issuers aren't charging people exorbitant rates to use their cards and aren't taking up the entire value of the cards with these fees. If, for instance, the gift card is for $50 and they charge you $5 a month, within 10 months, the gift card is useless. It is my view the fee will not be more than $1 or $1.50 when the regulator sets it, and it will give the gift card a much longer life. Of course, we are leaving it up to the Federal Reserve.

We are also letting them set a minimum balance. My guess is it will be $15 or so, above which the fee doesn't bite in, so the gift card will last a lot longer.

Fourth, the bill ensures that gift cards have expiration dates of at least 5 years from the time they are issued. It is simply unfair to cancel the gift totally after 6 months or even a year. So now the gift card stays in existence for 5 years.

I believe this legislation makes gift cards fairer, better, and even happier gifts to give during the holiday season, for birthdays or an anniversary. I encourage people to use the gift card.

One other point I think is very important. This legislation, for the first time, will make sure that so-called open loop cards—the kind which can be used anywhere and that you get as a holiday present—will be regulated at all. There has been no regulation before. Consumers Union, U.S. PIRG, the National Consumer Law Center, and the Consumer Federation of America all support the actions we are taking on this issue. We have heard from one of the biggest gift card issuers that they, too, are comfortable with this bill because we are making commonsense changes to this business to ensure that consumers can get a fair deal and that issuers can continue to offer these valuable products. The bottom line: You get a gift card, you know it is going to have its full value for at least a year, with no expiration date, no monthly fee that takes a chunk off the gift card. It means what you are giving the recipient is getting, nothing less.

At the end of the day, the reason this bill has been so important to me and to the Senator from Colorado, who worked so hard on it with me and others, is we want to protect consumers who purchase these products as gifts for their friends and loved ones. Consumers who purchase or receive a $50 gift card should get $50 in value without having to pay excessive fees.

CONTINENTAL CONNECTION FLIGHT 3407

Mr. President, I want to speak a little bit about the conclusion of the NTSB hearings that occurred this week in reference to Continental Connection Flight 3407.

We all know what happened on that flight. On February 12, 2009, the lives of family members, many of whom live in western New York, changed in a tragic and dramatic way when they lost their loved ones on a Buffalo-bound flight from Newark Airport.

I met with some of these family members on Tuesday—nine family members who lost loved ones on that flight. First, I have to express my respect and admiration for these family members. It was a little less than 3 months ago that they lost a husband, a wife, a child, a parent, or a fiance, and there is a huge hole in their hearts. Yet they were down in Washington making sure that a thorough investigation was done to determine why flight 3407 crashed, and then to continue working to see that corrective measures were taken on all other flights, so that what befell their loved ones would not happen to others. It was an act of bravery, courage, strength, fortitude, generosity, and compassion. The people in that room—and we had some heartfelt moments together—were saintly. They were trying to light a candle amidst the darkness that enveloped their lives. I felt for them when we met, as I feel for them today.

The crash of flight 3407 in Clarence, NY, claimed 50 lives and serves as a tragic reminder that our Nation's aviation industry is not immune to tragic incidents.

The 3-day-long hearings at NTSB have revealed some very disturbing suggestions into what may have caused the crash of the Bombardier Dash 8 Q400 airplane.

First, I am troubled by the reports that the Colgan pilots of the Dash 8 were not adequately trained in the operation of the ''stick-pusher''—the instrument installed in aircraft like the Dash 8 that prevents an aircraft from stalling. The stick-pusher is not demonstrated in pilot flight training simulators, and experts believe that the pilots are missing out on important hands-on training.

Suffice it to say that when the flight flew over Clarence, just before it crashed, the pilots may not have been adequately trained to deal with what was happening.

Colgan maintains that the FAA does not require this kind of simulator training. Today, I have written to Secretary Ray LaHood and asked that he reevaluate FAA's approval of airline training curricula.

We have also learned that the pilots of flight 3407 were not properly rested before their flights. It is obvious why. The young copilot of the flight lived in a suburb of Seattle, and her salary was $16,000 a year. She flew across country, tired, sleeping in an empty pilot seat, if she could—no stop, no rest, and then boarded the flight to Newark that she was copilot of on its way to Buffalo. It seems that it may be—I hope not, but it seems like it—that some commuter airlines both underpay and overwork their pilots to save costs. There is an unfortunate possibility that they could put safety second, with cost cutting first. That just cannot be. That has to change.

The second thing I am doing is urging the FAA not only to look at the number of hours that a pilot can fly—they have regulations for that—but the conditions which a pilot who begins a flight has endured previous to the flight, so that they are alert and rested as their tenure for that day or that few days begins.

The airline industry is evolving. What we are seeing is more and more smaller commuter airlines, and the FAA is not keeping up. The FAA needs to crack down on issues of pilot rest, compensation, and training, especially with these young airlines that seem to be prioritizing issues of saving money. They should be making priority No. 1 the issue of safety.

For the last 8 years, the FAA has had ineffective leadership with one goal: to cut costs. The head of the FAA—I met her and had arguments with her—seemed to take direction almost all the time from the OMB. All of us believe we should cut costs in this Government—I certainly do—but not when it comes to safety. I believe that the FAA, which requires the small commuter airlines to observe the same regulations as the larger airlines, hasn't kept up enforcing the rules with so many of the commuter airlines out there.

The crash investigation also initially suggested that icing conditions may have affected the aircraft. A bright light was shed on the fact that the NTSB and the FAA have differing recommendations as to how a pilot should handle an icing situation, and that the NTSB first asked the FAA to adopt the NTSB's recommendations 12 years ago—to no avail.

For this reason, I, along with my colleagues Senator ROCKEFELLER and Senator DORGAN, called for an official GAO investigation into what specific roles the NTSB and the FAA should be playing in aircraft icing prevention, and why such a lag exists between the time the NTSB makes a recommendation and the FAA formally adopts it. It seems to me—these are just my observations—that the NTSB does put safety first, and I sometimes wonder if the FAA is always doing that.

The GAO has informed us that they are in the process of forming an investigatory team for our request and will begin to pursue answers soon.

In conclusion, I cannot say enough how humbled I am by the work of all of flight 3407's family members. It is a tribute to their loved ones' lives that they are in Washington to advocate for aviation safety. I assured them, as we talked and prayed together, that I would do everything I could to make sure we get to the bottom of what happened on flight 3407, and then take whatever corrective action needs to be taken to prevent future flights such as 3407 from crashing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AUNG SAN SUU KYI

Mr. MCCAIN. Mr. President, I briefly rise on the floor today to discuss the latest outrage in the long-suffering country of Burma. I speak of the imprisonment of Nobel Peace Prize laureate Aung San Suu Kyi.

Aung San Suu Kyi is the leader of Burma's National League for Democracy, the party that won the country's 1990 elections decisively—elections that were quickly nullified by the Burmese military. She has been imprisoned by the thuggish military junta that runs that country. Ms. Suu Kyi has spent the majority of the past two decades under house arrest. Now the Government has moved this remarkable woman to Insein Prison compound and charged her with violating the terms of her house arrest, which was illegal to start with. She faces a potential sentence of 5 years in jail. Two other NLD members face similar charges.

While reports remain somewhat opaque, these charges appear to stem from the uninvited visit of a United States individual who entered Ms. Suu Kyi's home compound after swimming across a nearby lake. He then reportedly stayed on her compound for 2 days, despite requests to leave. Based on this occurrence, the regime appears now to allege that Ms. Suu Kyi has broken the law by not requesting permission in advance to have a visitor.

As a penalty, then, for an uninvited person showing up on her doorstep—while she remained imprisoned inside—the Burmese regime proposes to sentence her for up to 5 years in jail.

All of this represents, of course, the latest pretext dreamt up by the Burmese junta in order to prevent the legitimately elected leader of the country from interfering in its plans for dominance. The generals who run the country are planning ''elections'' to be held next year, and which they believe will legitimize their illegitimate rule. They seek ways to ensure that Ms. Suu Kyi and other NLD members are not free to participate in these elections, since it is the NLD—and not the military junta—that has the support of the Burmese people. As political prisoners, including Aung San Suu Kyi, fill Burmese jails, the international community should see this process for the sham it represents.

I once had the great honor of meeting Aung San Suu Kyi. She is a woman of astonishing courage and incredible resolve. Her determination in the face of tyranny inspires me and every individual who holds democracy dear. Her resilience in the face of untold sufferings, her courage at the hands of a cruel junta, and her composure despite years of oppression inspire the world.

Because she stands for freedom, this heroic woman has endured attacks, arrests, captivity, and untold sufferings at the hands of the regime. Burma's rulers fear Aung San Suu Kyi because of what she represents: peace, freedom, and justice for all Burmese people. The thugs who run Burma have tried to stifle her voice, but they will never extinguish her moral courage.

The world must now respond to the junta's latest outrage in a way that demonstrates the inevitability of those values she so clearly demonstrates. The work of Aung San Suu Kyi and members of the National League for Democracy must be the world's work. We must continue to press the junta until it is willing to negotiate an irreversible transition to democratic rule. The Burmese people deserve no less. This means renewing the sanctions that will expire this year, and it means vigorous enforcement by our Treasury Department of the targeted financial sanctions in place against regime leaders. It means being perfectly clear that we stand on the side of freedom for the Burmese people and against those who abridge it.

The message of solidarity with the Burmese people should come from all quarters, and that includes their closest neighbors, the ASEAN countries. The United States, European countries, and others have condemned her arrest and call for her immediate release.

I ask unanimous consent to have printed in the RECORD at this time a declaration of the Council of the European Union, and others by the Federation of International Rights, and the International Federation of Human Rights.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECLARATION OF THE PRESIDENCY ON BEHALF OF THE EUROPEAN UNION ON DAW AUNG SAN SUU KYI

The European Union expresses its strong concern following reports on the health of Daw Aung San Suu Kyi, leader of the National League of Democracy and Nobel Peace Prize laureate, and on the recent detention of her physician, Dr Tin Myo Win.

The EU calls on the authorities of Burma/Myanmar to guarantee for Ms Suu Kyi immediate and proper medical care, as well as access for her personal attorney. It furthermore recalls that her house arrest, which has been imposed in clear breach of international norms, will expire this month, and therefore again urgently calls for her unconditional release.

On the sad occasion of the anniversary of Ms Suu Kyi's detention, the EU urges the authorities to halt systematic torture and denial of health care to prisoners and to release all political prisoners.

''The regime's fear of the widespread popularity of Daw Aung San Suu Kyi remains, and they hope to keep her silent and hidden before the 2010 elections. There is widespread anger in Burma over the sham constitution the election is based on, and the only way to bring peace and stability to our country is by genuinely involving Daw Aung San Suu Kyi in the process of national reconciliation. Otherwise, the results could be disastrous'', said Mahkaw Khun Sa, General Secretary of Ethnic Nationalities Council.

Daw Aung San Suu Kyi remains the world's only imprisoned Nobel Peace Prize recipient.

INTERNATIONAL COMMUNITY MUST ENSURE RELEASE OF DAW AUNG SAN SUU KYI AND HER DOCTOR

Seven leading alliances, representing all major ethnic and political forces of Burma's democracy movement, today express deep concern for the security and health of Daw Aung San Suu Kyi and urgently call for her immediate and unconditional release, as well as the release of her doctor Dr. Tin Myo Win.

There is serious concern for the health of Daw Aung San Suu Kyi. She is found with low blood pressure and dehydration and must immediately receive thorough medical attention. Her doctor, Dr. Tin Myo Win, who has been the only person allowed to visit her for monthly check-ups, was detained by authorities on May 7, and his whereabouts is unknown and it is uncertain when he will be released.

Daw Aung San Suu Kyi has been under house arrest for 13 of the past 19 years, and the UN Working Group on Arbitrary Detention recently declared her continual detention illegal. Her detention legally expired on May 24, 2008. While the people of Burma and the world eagerly await for her release as her year-long extension is set to expire, it is of grave concern that the military regime may continue to hold her without any charges.

Besides, they must not use false charges, such as the incident of the intrusion of the foreigner into her home on May 3rd, to try and further incarcerate her and Dr. Tin Myo Win.

''From the beginning of her arrest, authorities declared that they had to detain Daw Aung San Suu Kyi for the reason of 'protective custody' and thus the authorities are the ones responsible for the intrusion,'' said Moe Zaw Oo, Foreign Affairs Secretary, National League for Democracy—Liberated Area.

The seven alliances, representing a broad-based democracy and ethnic forces, urgently call on the United Nations Secretary General, as well as ASEAN and key regional countries to take urgent and firm measures to ensure the immediate and unconditional release of Daw Aung San Suu Kyi and Dr. Tin Myo Win.

''The continual detention and mistreatment of Daw Aung San Suu Kyi and the other 2100 political prisoners in Burma stands against international and regional laws and principles, and there should be no hesitation by the international community to guarantee their direct release,'' said Thin Thin Aung, Presidium Board member of Women's League of Burma.

INTERNATIONAL FEDERATION FOR HUMAN RIGHTS,
Paris, May 14, 2009.

His Excellency BAN KI MOON,
Secretary General of the United Nations, United Nations Secretariat, New York, NY.

DEAR SECRETARY GENERAL: The International Federation for Human Rights is addressing to you in order to request your urgent intervention in Burma/Myanmar in favor of the Nobel Prize for Peace and leader of the National League for Democracy, Daw Aung San Suu Kyi.

FIDH has already expressed its deep concern regarding the health of Daw Suu Kyi, following information that her situation had worsened in the past few days. Ms. Suu Kyi's blood pressure was reportedly low, she was suffering from dehydration and had stopped eating. In addition, her medical doctor, the physician Tin Myo was arrested on May 7th, following his visit to Ms. Suu Kyi and is still under detention.

Unfortunately and despite the fragile state of health of the Nobel Peace Prize, FIDH was informed that Daw Aung San Suu Kyi has been transferred to Insein prison in Yangoon, and appeared today before a special court, in order to hear the charges against her, her two live-in party members Daw Khin Khin Win and her daughter Win Ma Ma and an American man, John William Yettaw. They are all charged under section 22 of the State Protection Act (Law Safeguarding the State from the Dangers of Subversive Elements). The charges relate to the violations of the rules and regulations surrounding her house arrest. If she is convicted of this offence, she will be subject up to three years of imprisonment under this article. During her appearance before the court today, Ms. Suu Kyi was not asked any questions. The judge ordered the defendants to return to court again on May 18, 2009.

According to the latest information, Daw Aung San Suu Kyi, Daw Khin Khin Win and Daw Win Ma Ma were not sent back to their residence. They are currently detained in Insein prison.

The International Federation for Human Rights condemns in the strongest possible terms this new campaign of intimidation and harassment against the Nobel Peace Prize, ahead of the 2010 elections and just some days before her house arrest is due to expire at the end of May. This last episode deprives the ''road-map to democracy'' and the electoral process in Burma/Myanmar from any legitimacy.

The United Nations and you personally have been long engaged for the reconciliation process of all parties in Burma and the dialogue with the Burmese authorities. The United Nations have received in the past harsh criticism for the absence of concrete measures to improve the human rights situation in Burma/Myanmar, despite the strong engagement of the various United Nations mechanisms.

The intentions of the Burma/Myanmar authorities are seriously questioned today worldwide, it is time for the United Nations

Security Council and you personally to take urgent action for the immediate and unconditional release of Ms. Suu Kyi. Daw Aung San Suu Kyi has a crucial role to play in the democratization process in Burma as a major political interlocutor. The collective responsibility of the international community and of the United Nations in particular, to protect the Nobel Peace Prize is now even more crucial than ever. FIDH is trustful that the United Nations will step up to this duty and guarantee the safety, security and freedom of Daw Aung San Suu Kyi.

I'm urging you personally to act as soon as possible to protect her integrity. The urgency of the situation requests coordinated and strong action.

Hoping that you will take the above considerations fully into account, I remain,

SOUHAYR BELHASSEN,
FIDH President.

Mr. MCCAIN. Mr. President, the country's of Southeast Asia should be at the forefront of this call. ASEAN now has a human rights charter, in which member countries have committed to protect and promote human rights. Now is the time to live up to that commitment. ASEAN could start by dispatching envoys to Rangoon in order to demand the immediate and unconditional release of Aung San Suu Kyi. This courageous leader, and all those Burmese who have followed her lead in pressing for their own inalienable rights, should know all free people stand with you and support you. The world is watching not only your brave actions but also those of the military government whose cruelty and incompetence know no bounds. Burma's future will be one of peace and freedom, not violence and repression. We, as Americans, stand on the side of freedom, not fear of peace, not violence, and with the millions in Burma who aspire to a better life, not those who would keep them isolated and oppressed.

The United States has a critical role to play in Burma and throughout the world as the chief voices for the rights and integrity of all persons. It is a role we suppress at the world's peril and our own. A strong public defense of the rights of oppressed people has been and must remain an enduring element in American foreign policy. Nothing can relieve us of the responsibility to stand for those whose human rights are in peril or the knowledge that we stand for something in this world greater than self-interest. Should we need inspiration to guide us, we need look no further to that astonishingly courageous leader, Aung San Suu Kyi.

The junta's latest actions are once again a desperate attempt by a decaying regime to stall freedom's inevitable success in Burma and across Asia. They will fail, as surely as Aung San Suu Kyi's campaign for a free Burma will one day succeed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I rise today in support of the Credit Card Accountability and Disclosure Act of 2009 and the ways in which I believe this measure is in the best interests of my constituents in North Carolina.

Before I begin, I would like to thank my colleagues from Connecticut and Alabama, Senators DODD and SHELBY, for bringing together concerns and ideas from both sides of the aisle to craft a bipartisan compromise. This bill could not come at a more critical time for North Carolina's hardworking families.

More often than not, through no fault of their own, North Carolina families are suffering tremendously during this time—the harshest economic climate since the Great Depression. Our unemployment rate is 10.8 percent—the fourth highest in the Nation. Home values have declined dramatically. Many families have lost nearly all their savings. Nearly a half million jobs have been lost in North Carolina. From banking to manufacturing, North Carolina is home to some of the industries that have taken the biggest hit in this economic downturn. To say the least, the situation is dire for many families in North Carolina and around the country.

The people of my State are hardworking and honest. While they are struggling to make this month's mortgage payment or put food on the table for their families, they are troubled by next week's and next month's bills. They are concerned about the unexpected expenses they may have to bear—for example, an illness or their car breaking down. With all the other issues these families are dealing with in this economic downturn, imagine realizing that you are still paying interest on a balance you thought you had already paid or watching that interest rate double because times are tight and you fell just a little behind.

Unfair, yet all-too-common credit card practices, such as interest charges on debt paid on time—a practice known as double-cycle billing—arbitrary interest rate increases, and exorbitant and unnecessary fees are only making matters worse for families who are already struggling just to get by. Obviously, it costs money to borrow money. Nobody is suggesting that credit card issuers shouldn't be able to make a profit. But for consumers the rules should be fair, transparent, and exactly the same from the beginning to the end.

I support the Dodd-Shelby amendment because it requires just that. The bottom line is that this bill restores fairness and sensibility to credit cards and a sense of security to families in North Carolina. This bill ensures that credit card companies honor their promises and specifies that the card companies can't change the rules in the middle of the game. While North Carolina's families are struggling, they shouldn't have to worry about hitting a moving target when it comes to paying their bills.

The Dodd-Shelby amendment will also provide consumers with simple, clear information that allows them to make informed decisions that make the most sense for themselves and their families. One important step which will provide consumers with the information they need to make their choice is the payoff timing disclosure language included in this bill. The legislation we are considering would require credit card issuers to prominently display two important numbers on billing statements: the amount of time it would take to pay off the bill if the cardholder is paying only the minimum balance due each month, and the minimum monthly payment required to pay off the entire bill in 36 months.

For example, it would take a cardholder with a $4,000 balance and an 18-percent interest rate, making the minimum payments, nearly 6 years to pay off their credit card. It costs next to nothing for issuers to provide borrowers with this information, but this information can be extremely helpful as cardholders try to become more efficient in their financial planning.

Ultimately, by keeping the rules fair, clear, and consistent, we can save American families thousands of dollars each year. As we work to right this ship and get our economy moving again, I cannot imagine this relief coming at a better time for North Carolina's families.

I am proud to stand on the floor of the Senate and voice my support for this measure. My constituents deserve progress, not lip service, on this and so many other important issues that they are grappling with in these hard economic times.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. AKAKA. 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. AKAKA. Mr. President, I support the Credit CARD Act of 2009. I want to commend the chairman of the Banking Committee for his outstanding efforts to craft this legislation. I also appreciate the work done by Senator SHELBY in developing a bill that should be able to garner broad bipartisan support and become law.

Too many in our country are burdened by significant credit card debt. Not enough has been done to protect consumers and ensure they are able to properly manage their credit burden. We must do more to educate, protect, and empower consumers. Although this comprehensive legislation has numerous provisions that benefit consumers, my remarks will focus on the portion of the legislation which is based on my legislation, the Credit Card Minimum Payment Warning Act. I originally introduced the act in the 108th Congress. I have greatly appreciated the efforts of Senators DURBIN, SCHUMER, and LEAHY, who helped develop and support

the legislation. I also want to acknowledge Senator FEINSTEIN for her contributions on this issue.

We attempted to attach our legislation as an amendment to improve the flawed minimum payment warning in the Bankruptcy Abuse Prevention Act. On March 2, 2005, an editorial in the Washington Post criticized the bankruptcy legislation then being considered. The editorial stated, ''at the very least, as Senator DANIEL K. AKAKA has proposed, credit card issuers, who now send out five billion solicitations a year . . . ought to be required to disclose to borrowers the true cost of making only the minimum payments.'' Mr. President, I ask unanimous consent that the text of the entire editorial be printed in the RECORD following my remarks. Unfortunately, our amendment was defeated.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. AKAKA. Mr. President, although there have been some modifications and additions, the Credit CARD Act contains the primary provisions of my legislation. The legislation requires that consumers be told how long it will take to repay their entire balance if they make only minimum payments. The total cost if the consumer pays only the minimum payment, would also have to be disclosed. These provisions will make individuals much more aware of the true cost of credit card debt. Consumers would have to be provided with the amount they need to pay to eliminate their outstanding balance within 36 months, which is a typical length of a debt management plan.

The personalized payment disclosures are important, but consumers must be given opportunities to find reputable credit counseling services. Section 201 also includes our requirement for creditors to establish and maintain a toll-free number so that consumers can access trustworthy credit counselors. The toll-free number will have to appear on credit card billing statements along with the minimum payment warning information. More working families are trying to survive financially and meet their financial obligations. Consumers often seek out help from credit counselors to better manage their debt burdens. It is extremely troubling that unscrupulous credit counselors exploit individuals who are trying to locate the assistance that they need. As financial pressures increase for working families, credit counseling becomes even more important. The CARD Act will assist working families with finding credit counselors that will help, rather than exploit, them.

Yesterday, I filed an amendment to the CARD Act to simplify the administration of the credit counseling referral provision. The amendment requires the Federal Reserve Board to issue the guidelines for the development and maintenance by creditors of a toll-free number to provide information about credit counseling and debt management services. Referrals for credit counseling services via the toll-free number could only go to nonprofit credit counseling agencies approved by U.S. bankruptcy trustees. This modification will utilize an existing approval process and list of reputable credit counselors rather than creating a new approval process for the purposes of section 201. I thank the chairman and ranking member for their willingness to accept this amendment.

After many years, it appears that we may finally be enacting a bill that will educate, protect, and empower credit card consumers. Once again, I thank Chairman DODD for all of his outstanding efforts to help working families. The administration also deserves credit for their efforts to help move this legislation closer to enactment. I look forward to continuing to work with my colleagues and the administration on this and other essential consumer protection legislation.

EXHIBIT 1

[From the Washington Post, Mar. 2, 2005]

FIXING THE BANKRUPTCY SYSTEM

Until this year, the seemingly perennial congressional debate about overhauling the nation's bankruptcy laws was something of an academic exercise: The measure wasn't going to pass because Senate Democrats insisted on an abortion amendment unacceptable to the House. Now, with a bolstered Republican majority, it's not clear that Democrats can muster enough votes for that amendment, which would prevent anti-abortion protesters from filing for bankruptcy to evade damage awards. As a result, the underlying question about the bankruptcy bill suddenly matters: Does it strike the right balance between preserving the protections of bankruptcy and preventing abuse by spendthrifts? The bill is neither as draconian as its opponents protest nor as balanced as its supporters proclaim. Its central tenet, that those who can repay some of their debts ought to do so, is reasonable. But the bill could be made fairer with a number of amendments set to be considered.

The number of Americans filing for bankruptcy exploded in the past quarter-century. In 1980, there was one personal bankruptcy filing for every 336 households in the United States; in 1993, one for every 144 households; and in 2003, one for every 73 households. But there is little agreement on the cause of this growth. Those who support tightening bankruptcy laws say the system is abused by people who could repay their debts but are no longer deterred by the stigma once associated with bankruptcy. Those who oppose the change say credit card companies entice borrowers to run up their bills; they also cite the toll of medical debt among those who lack adequate health insurance.

The Senate bill would tighten access to the most generous and popular form of bankruptcy, Chapter 7. People filing for Chapter 7 bankruptcy can wipe out their debts and get a ''fresh start.'' The bill would impose a means test: Debtors who earn less than the median income in their state—about 80 percent of those who file for bankruptcy—still would be entitled to file under Chapter 7. But those who earn more than that—and who have the ability to repay at least $6,000 over five years—would have to file under Chapter 13, which requires a repayment plan. Experts estimate that means testing would affect no more than 10 percent of consumer bankruptcy filers.

In theory a means test is reasonable, but the test in this legislation is unnecessarily rigid. It considers the previous six months of earnings, even if the bankruptcy filer is now out of work. Moreover, once filers show that their income is below the median, there's no reason to require them to provide additional information. Sen. Edward M. Kennedy (D-Mass.) has outlined amendments to address these issues, as well as a sensible proposal that would provide a $150,000 homestead exemption to help the elderly and those driven to bankruptcy by medical expenses keep their homes.

If the Senate tightens rules for those filing for bankruptcy, it also should crack down on the corporate practices that contribute to the problem. At the very least, as Sen. Daniel K. Akaka (D-Hawaii) has proposed, credit card issuers, who now send out 5 billion solicitations a year and whose profits have soared, ought to be required to disclose to borrowers the true cost of making only the minimum payment on their balances.

Mr. AKAKA. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN.) Without objection, it is so ordered.

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GENERAL MOTORS

Mr. BROWN. Madam President, it has come to my attention that General Motors, one of America's largest corporations—that General Motors, which is seeking Federal assistance to save their business—now has plans to take that money and create jobs. That should be good news. That is, after all, what Congress intended; that General Motors take money the Government loans them and taxpayers send to them, that it awarded a U.S. company—this company—more than $15 billion in Federal loans earlier this year, that they would, in fact, create jobs.

But that is why I was in a state of disbelief last night when I learned General Motors is not going to create those jobs in the United States, not in my State of Ohio, not in Michigan, not in Indiana, not in big auto States, not in Missouri, they are going to create jobs not in the United States, those States which continue to hemorrhage auto jobs.

In fact, what GM wants to do is take our tax dollars and create jobs in China by building a new car, a car they will then export back into the United States for Americans to purchase. Let me say that again. GM is taking U.S. tax dollars, going to close American auto plants, open new auto plants in China, then sell those cars it produces back into the United States to Americans.

The audacity of such a plan cannot be emphasized enough. In short, it is outrageous. It appears that what is good for GM is no longer good for America. This is a slap in the face to American autoworkers, to American taxpayers, to American communities. It is a slap in the face to every autoworker in Ohio, in neighboring Michigan, in every State where men and women work hard and play by the rules and pay their taxes, not just States that produce autos, but the States—all 50 of our States—that produce auto parts, components and tires and glass and door locks and all the other kinds of things that go into cars.

These funds, those auto funds that came from taxpayers, were meant to rebuild our Nation's middle class, not dismantle it, not dismantle the middle class, not shut these plants and then send jobs overseas.

If GM officials think U.S. taxpayers will finance cars made in China while American plants are closing, GM is either tone deaf or tunnel visioned. I would urge GM not to betray the working men and women of our Nation. We have the most talented labor force and qualified autoworkers anywhere, bar none.

I would invite GM officials to travel with me across Ohio; to Lorain, to Twinsburg, to Lordstown, all auto plants, all auto cities. That is just in northeast Ohio alone. All across our State we have the greatest, most talented labor force to build these cars. We have the facilities to produce these cars.

The question is whether GM has any commitment to our Nation, a nation whose taxpayers are working to rescue them. There is no excuse for GM using taxpayer funds for Chinese imports, not when there are American workers ready to build these cars, when there are shut down or idled U.S. auto plants prepared to produce them.

Smaller, more fuel-efficient vehicles represent the future of the auto industry, and American workers can produce and must produce those vehicles in the United States. Ohio workers will not stand idly by while GM sends these jobs and our tax dollars overseas to a nation with little or no labor standards and woefully weak safety standards.

Interestingly, when you think about the safety of these cars that may, in fact, be built by GM in China and sent back to the United States, think about some of the practices in other consumer products. Think about what happened with contaminated products, contaminated ingredients that went into Heparin, a blood-thinning drug that came back and killed some 100 Americans because of contaminated ingredients, or think about Hasbro toys, which were outsourced to China, where those Chinese subcontractors put lead-based paint on these toys. They came back to the United States and had toxic parts-per-million amounts of lead in the paint and on those toys.

If GM wants to receive more funds from U.S. taxpayers, it must commit to using those tax dollars to maintain jobs and production at home. Today, I wrote Secretary Geithner, the Secretary of the Treasury, urging the Obama administration, as part of the terms of further Government assistance, to require GM to invest in U.S. production.

The President's Auto Task Force has a difficult job. Its mission is to guide GM toward long-term viability and toward success. Given the number of auto manufacturing layoffs in my State, given the sacrifices autoworkers and their families continue to make to facilitate the restructuring of GM, I do not see how the administration can, in good conscience, provide taxpayer funds to support General Motors' offshoring of auto production.

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.

Ms. CANTWELL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DERIVATIVES REGULATION

Ms. CANTWELL. Madam President, I rise to discuss what I hope will be a turning point on our road to economic recovery. The Obama administration yesterday asked Congress to swiftly pass sweeping and historic regulatory reforms on derivatives, credit default swaps, commodities trading, and other sectors of the financial marketplace that collapsed last year under the weight of unrestrained speculation. The road to this point has not been easy. For months I have been urging the administration to move quickly to propose strong regulatory controls on these markets, require transparency in derivatives trading, and restrict market manipulation. With the announcement yesterday by Treasury Secretary Geithner in a letter he sent to Senate and House leaders, the administration has come down decisively on the side of imposing order on a marketplace whose collapse made this current recession so much deeper and more painful for the average American than it needed to be.

The administration clearly supported in writing bringing the unregulated ''dark'' over-the-counter derivative markets under full regulation for the very first time. The administration has correctly identified the top three key goals of regulatory reform in the unregulated over-the-counter derivatives market. First, transparency on all dark markets. All derivative transaction dealers will be brought under prudential regulation and supervision which means capital adequacy requirements, antifraud and antimanipulation authority, and very clear transparency and reporting requirements.

Second, all standardized trading of physical commodities and other derivatives will finally be required to be traded on fully regulated exchanges.

Third, imposing position limits on regulated markets to prevent any market player from amassing large positions that can harm the market. I have received in e-mail additional assurances from the administration that they believe these position limits should be applied in the aggregate across all contract markets to prevent fraud and manipulation.

Mr. Geithner's announcement yesterday was truly historic. Americans have suffered through an era of deregulation that is primarily the cause of this economic crisis. How did we get here and why is this historic?

A decade ago Congress passed, in the dark of night at the end of the Congress in 2000, a law known as the Commodities Futures Modernization Act that provided ironclad protections from regulation for financial tools. One courageous regulator, then Commodities Futures Trading Commission Chairwoman Brooksley Born, warned Congress and the financial community that unregulated derivatives could cause potential serious dangers to the economy. But some in Washington blocked her efforts, including Wall Street and senior administration officials.

One high-ranking Treasury official charged with pushing this deregulation bill through Congress was Gary Gensler, a former high-ranking executive at Goldman Sachs. As Under Secretary of the Treasury, Mr. Gensler testified before Congress that he ''unambiguously opposed'' regulating the derivatives market. Mr. Gensler was wrong. For Brooksley Born's courage in standing up to powerful financial interests in proposing tougher rules, she is being awarded the Profiles in Courage award by the John F. Kennedy Foundation this year.

With yesterday's announcement, this administration embraces the reforms that Brooksley Born argued we needed a decade ago. This was an uphill battle. There were too many people with a financial stake in the old, unrestrained trading system. But it was because of my concern that the President's commitments to government reform and increased transparency would be overshadowed by those willing to take a go-slow approach to regulatory reform that I placed a hold on the President's nomination of Gary Gensler to be Chairman of the Commodities Futures Trading Commission. In my view, Mr. Gensler helped perpetuate the lax regulation that contributed to our current economic crisis while he was Under Secretary of Treasury during the latter years of the Clinton administration.

While Mr. Gensler has recently stated he supports stronger regulatory rules for financial markets, in 2000, he supported legislation that provided ironclad protections against regulation of financial products such as credit default swaps and derivatives. I hardly need to remind my colleagues of the disastrous results of that course of action.

The world of derivatives and credit default swaps is foreign to most Americans. The vulnerability of these markets to rampant speculation and the complex set of regulatory structures needed to address the problems are not easy to grasp, even for insiders of the financial industry. But my constituents in Washington State know all too well the consequences of inaction and lax oversight. To us, the financial meltdown is not just an object lesson in greed and avarice playing out on the other coast; it is an issue that has affected our daily lives. We remember when the lights went out over the energy crisis brought on by Enron's predatory speculation that threw the western power grid into disarray. This perfect storm—a combination of drought, botched regulation, and Enron's market manipulation—cost west coast consumers more than $40 billion, and it took years to unravel the mess.

The rules of the financial game may be esoteric, but the consequences of a financial meltdown are well understood by my constituents. It is because of my involvement in bringing Enron's speculative schemes to light and seeing the type of business abuse in the financial markets that I am determined to take steps to ensure that such abuse does not happen again. I am glad President Obama has listened to those on Capitol Hill and those within his own administration who believed strongly that bold and timely action was critical to ensure stability of our financial markets. I continue to have concerns about Mr. Gensler's appointment to head the agency responsible for regulating swaps and other derivatives whose collapse amid unrestricted speculation caused so much damage to the economy. But in light of the administration's significant and potentially historic stand on new controls over derivative markets, I am prepared to lift my hold on his confirmation and, instead, focus on ensuring that the legislation we pass includes the recommendations the administration has made.

I say that I hope the administration's new policy will become a turning point, because we have more work to do to make sure these concepts become law. The Treasury Department announcement was not a piece of legislation but, rather, a policy outline, a statement of the kind of bill the White House would support. It is now up to us in Congress to turn this into law. I am committed to working with Senate leadership to ensure that the resulting legislation closes loopholes and that we get about making sure that the previously poorly designed controls are eliminated.

Where necessary, we must be willing to go even further than the administration in crafting a bill that puts an end to destructive and predatory forms of speculation. But I applaud the bold position outlined in the Treasury Secretary's letter to House and Senate leadership yesterday.

The idea here is not to impose regulation for regulation's sake. The idea is to protect the American people from the consequences of unrestrained speculation. Our constituents are justifiably angry, because they have seen millions of jobs and trillions of dollars in savings evaporate while speculators who aggravated the crisis floated away on golden parachutes.

Undoubtedly, in the weeks to come, Wall Street interests will have a lot to say about regulatory reforms. They should say it to the average American who has been taking a crash course in the financial crisis over the past year. Our obligation is not to these speculators. It is to the people who work hard, whose ingenuity and extraordinary productivity have provided the lift that has made our economy the envy of the world. It is now our time to do our job to put in the robust reforms that will make their hard work pay off in the days ahead.

I ask unanimous consent that Treasury Secretary Timothy Geithner's letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
Washington, DC, May 13, 2009.

Hon. HARRY REID,
U.S. Senate,
Washington, DC.

DEAR SENATOR REID: In late March I laid out in congressional testimony a broad framework for regulatory reform. As I indicated then, one essential element of reform is the establishment of a comprehensive regulatory framework for over-the-counter (OTC) derivatives, which under current law are largely excluded or exempted from regulation. Since then, the Treasury Department has been consulting with the Commodity Futures Trading Commission (CFTC), the Securities and Exchange Commission (SEC), and other federal regulators regarding the design of such a framework. Today I am writing to follow up with further details on the amendments to the Commodity Exchange Act (CEA), the securities laws, and other relevant laws that I believe are needed to enable the government to regulate the OTC derivatives markets effectively for the first time.

Government regulation of the OTC derivatives markets should be designed to achieve four broad objectives: (1) preventing activities in those markets from posing risk to the financial system; (2) promoting the efficiency and transparency of those markets; (3) preventing market manipulation, fraud, and other market abuses; and (4) ensuring that OTC derivatives are not marketed inappropriately to unsophisticated parties. To achieve these goals, it is critical that similar products and activities be subject to similar regulations and oversight.

To contain systemic risks, the CEA and the securities laws should be amended to require clearing of all standardized OTC derivatives through regulated central counterparties (CCPs). To ensure that this measure is effective, regulators will need to take steps to ensure that CCPs impose robust margin requirements and other necessary risk controls and to ensure that customized OTC derivatives are not used solely as a means to avoid using a CCP. For example, if an OTC derivative is accepted for clearing by one or more fully regulated CCPs, it should create a presumption that it is a standardized contract and thus required to be cleared.

All OTC derivatives dealers and all other firms whose activities in those markets create large exposures to counterparties should be subject to a robust and appropriate regime of prudential supervision and regulation. Key elements of that robust regulatory regime must include conservative capital requirements, business conduct standards, reporting requirements, and conservative requirements relating to initial margins on counterparty credit exposures. Counterparty risks associated with customized bilateral OTC derivatives transactions that would not be accepted by a CCP would be addressed by this robust regime covering derivative dealers.

The OTC derivatives markets should be made more transparent by amending the CEA and the securities laws to authorize the CFTC and the SEC, consistent with their respective missions, to impose recordkeeping and reporting requirements (including an audit trail) on all OTC derivatives. Certain of those requirements could be deemed to be satisfied by either clearing standardized transactions through a CCP or by reporting customized transactions to a regulated trade repository. CCPs and trade repositories should be required to, among other things, make aggregate data on open positions and trading volumes available to the public and to make data on any individual counterparty's trades and positions available on a confidential basis to the CFTC, SEC, and the institution's primary regulators.

Market efficiency and price transparency should be improved in derivatives markets by requiring the clearing of standardized contracts through regulated CCPs as discussed earlier and by moving the standardized part of these markets onto regulated exchanges and regulated transparent electronic trade execution systems for OTC derivatives and by requiring development of a system for timely reporting of trades and prompt dissemination of prices and other trade information. Furthermore, regulated financial institutions should be encouraged to make greater use of regulated exchange-traded derivatives. Competition between appropriately regulated OTC derivatives markets and regulated exchanges will make both sets of markets more efficient and thereby better serve end-users of derivatives.

Market integrity concerns should be addressed by making whatever amendments to the CEA and the securities laws which are necessary to ensure that the CFTC and the SEC, consistent with their respective missions, have clear, unimpeded authority to police fraud, market manipulation, and other market abuses involving all OTC derivatives. The CFTC also should have authority to set position limits on OTC derivatives that perform or affect a significant price discovery function with respect to regulated markets. Requiring CCPs, trade repositories, and other market participants to provide the CFTC, SEC, and institutions' primary regulators with a complete picture of activity in the OTC derivatives markets will assist those regulators in detecting and deterring all such market abuses.

Current law seeks to protect unsophisticated parties from entering into inappropriate derivatives transactions by limiting the types of counterparties that could participate in those markets. But the limits are not sufficiently stringent. The CFTC and SEC are reviewing the participation limits in current law to recommend how the CEA and the securities laws should be amended to tighten the limits or to impose additional disclosure requirements or standards of care with respect to the marketing of derivatives to less sophisticated counterparties such as small municipalities.

I am confident that these amendments to the CEA and the securities laws and related regulatory measures will allow market participants to continue to realize the benefits

of using both standardized and customized derivatives while achieving the key public policy objectives expressed in this letter. I look forward to working with Congress to shape U.S. legislation implementing these measures. We will need to take care that in doing so we do not call into question the enforceability of OTC derivatives contracts. We also will need to work with authorities abroad to promote implementation of complementary measures in other jurisdictions, so that achievement of our objectives is not undermined by the movement of derivatives activity to jurisdictions without adequate regulatory safeguards.

Sincerely,

TIMOTHY F. GEITHNER.

Ms. CANTWELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEVIN. 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. LEVIN. Madam President, it was my intention to call up two first-degree amendments at this time: Amendment No. 1094, which is an amendment that is cosponsored by Senator MCCASKILL and Senator COLLINS; and then it was my intent to call up amendment No. 1095. Both of these amendments are germane amendments. I understand that if I attempted to call them up now and set them aside, there would be an objection. So I will not do that at this time, but it is my intent to call up these, either before cloture or postcloture, because they are germane amendments. I just wish to alert our colleagues it is our intent to call up these two amendments.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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. WHITEHOUSE. Madam President, I rise to speak on an amendment that I intend to offer, cosponsored by Senators DURBIN and SANDERS, which would complement the Credit Card Act by restoring to each of the 50 States the power to enforce maximum interest rates against out-of-State lenders. I urge my Republican colleagues to attend to this as well because I know they have taken a particular interest over the years in the sovereign power of the State, what a constitutional scholar would call the Doctrine of Federalism, and this is certainly an important step in that direction.

The bill we are debating this week will make enormous advances in banning some of the most egregious credit card tricks and traps that consumers face out there. I commend the distinguished chairman for his heroic, patient, determined work in bringing us to this point. I believe we also need to give State governments the ability to go after the most dangerous trap of all: outrageous and unjustifiable interest rates.

I have heard so many stories from countless Rhode Islanders: A missed payment or a late payment turned a reasonable interest rate into a 25-percent or 35-percent penalty rate, and a family suddenly finds itself in a hole it can't climb back out of.

Professor Ronald Mann of Columbia University has called this credit card business tactic the ''sweat box.'' Credit card companies have found it profitable to hit their most distressed customers with penalty rates and fees that are designed to sweat out of those customers the maximum monthly payments before the inevitable bankruptcy filing.

Prior to 1978, all the way back to the founding of the Republic, States had the ability to prohibit excessive interest rates and to protect their citizens. It is part of our national history. That changed following a U.S. Supreme Court decision in 1978: Marquette National Bank of Minneapolis v. First of Omaha Service Corp.

Marquette did not seem like a big case at the time—not a case that would, in practice, end one of the sovereign State's most basic and ancient authorities—to protect their citizens. In Marquette, the Supreme Court interpreted the word ''located''—one word—in the Civil War-era National Bank Act as giving regulatory authority over a loan to the States that was the primary place of business of the bank, as opposed to the State that was the location of domicile of the consumer. It seemed like a technical case, but the meaning of this one-century-old word defined that way has had the effect of crippling the ability of States to effectively police usurious lending practices by out-of-State banks.

Following Marquette, credit card lenders realized they could avoid State law consumer protections by reorganizing as national banks and operating their businesses out of a handful of States that either lacked meaningful interest rate restrictions or were willing to toss out their consumer protection laws in order to attract this new business. Thus began the proverbial race to the bottom. Today, it is unusual to find a credit card lender not based in one of the two or three States that have turned weak consumer protection into a profitable industry.

My amendment and the bill on which it is based, S. 255, would amend the Truth in Lending Act to legislatively reverse the Marquette decision, restore the historic power of the States, and to make clear that each State has the right to protect its citizens with interest rate restrictions on consumer lending no matter where the lender chooses to locate their physical office.

If enacted, Rhode Island, Connecticut, and other States could, once again, as they did for decades—for centuries before Marquette—say ''enough'' to faraway credit card lenders gouging their citizens. As a former State attorney general who was closely involved in consumer protection issues, I feel strongly that States have an important role to play in protecting their citizens from abusive and heavy-handed business practices. This amendment would acknowledge and strengthen that role.

Mr. DODD. Madam President, would the Senator yield for an observation?

Mr. WHITEHOUSE. I gladly yield to the distinguished chairman of the Banking Committee.

Mr. DODD. I thank the Senator for raising this issue, and I appreciate the time he has put into this and the effort he has expended for what he is trying to accomplish. I know his constituents and mine suffer, as all of us do, from abusive interest rates and fees and believe that broader interest rate reform is something we in the Senate should carefully consider. In fact, a good part of this legislation is designed to do exactly that.

The Senator's amendment goes beyond the credit card reform, however, and would affect many varieties of consumer lending beyond just credit cards. I, therefore, would inquire of the Senator from Rhode Island if he would be willing to withhold his amendment and defer consideration of the issue as we are preparing to take up broader financial regulatory reform later this year; in fact, within the next few months.

In the interim, I wish to assure the Senator from Rhode Island, Mr. WHITEHOUSE, that he has my personal commitment that the Banking Committee, which I chair, will take a careful look at his proposal. We have held a major series of hearings on regulatory modernization, we are planning a number of others, and this subject will be an appropriate one for consideration in these hearings during the committee's consideration of related legislation. Perhaps the Senator from Rhode Island can recommend a witness or witnesses—I certainly know of several—who would like to testify, including himself or other Members who are cosponsors of his amendment, or like many of us who share his concern about the Marquette decision and what it has done in terms of usury laws.

I often point out that both in the Old Testament and the New Testament, while I don't claim to be a Biblical scholar, there was nothing that more outraged Jesus Christ than the money changers in the New Testament. Certainly, there are plenty of examples in the Old Testament of usurious lending practices. It is as old as Biblical times, the admonition regarding charging outrageous interest rates. We have rates today, as I have said before, that would make organized crime blush if they were to see them.

Anyway, the Senator has proposed a reform of our system of banking regulation with wide-reaching consequences, and the proposal deserves

the full vetting of the Banking Committee. I assure him we will have a full vetting.

I ask my colleague and friend from Rhode Island whether he would be willing to entertain this proposal and defer this matter until we deal with a larger set of issues and to also confirm for him my similar concern that he has raised and would have raised with this amendment.

Mr. WHITEHOUSE. Madam President, I thank the chairman of the Banking Committee for his offer. With this understanding, I will agree to withhold on my amendment on this particular piece of legislation.

I believe we need to look at broader interest rate reform, and I appreciate the commitment of the distinguished Banking Committee chairman to look at the Marquette issue in that context. I also wish to applaud the chairman for developing the legislation we are debating. This is one of those areas where wisdom accrued over years of legislative experience allows us to expand the realm of the possible, and of course legislation is the art of the possible. Through his wisdom, through his experience, he has been able to get to the very outermost bounds of the possible on this legislation and perhaps even move those outermost bounds out a little bit. So I applaud the chairman for this extraordinary accomplishment. The Credit Card Act will go a long way in cleaning up the practices of unscrupulous credit card lenders, and the Senators from Connecticut and Alabama deserve high praise for their hard work in bringing us to this point.

I thank both my colleagues and I yield the floor.

Mrs. MCCASKILL. Madam President, I congratulate the chairman of the Banking Committee for daring to go where no one was willing to go for a long time; that is, regulating the credit card industry. I have learned about some of the tricks of the credit card industry the hard way. My father had a significant and serious and protracted illness, and mom was trying to get through it without burdening any of us. Without any of us realizing it, she got in a hole with credit card companies. Once I figured out that she had gotten into the hole, I set about the business of trying to help.

I have a law degree. I am not a shy person. I am someone who is willing to say what I think. I helped write law at the State level, and I think I understand contract law. As I began to get through all the fine print and deal with the credit card companies that she was indebted to, I became more and more frustrated. I began to realize what has happened with unsecured debt in America through credit card companies. There is a lot of bait and switch that goes on. There is a desire to get hold of the credit card customer who never pays the principal. My mom was a dream customer. She paid like clockwork, in terms of the minimum payment, but never quite had enough to get around to the principal. The saddest part of the story is how hard it was for me to pay off the cards. They didn't want me to pay them off. I remember being on a phone call for 3 hours, and I had been to several countries by the time the call was concluded. I was told that it was impossible for me to send a payment to pay off the card the same month. It had to be sent in a separate payment. We were trying to pay off the card. They didn't want it. One of my favorites is that she made a payment on a card, and I paid off the balance. Then a bill came, and it was a negative balance. They owed us money. But you are not going to believe it, but, again, they owed us money, and guess what they had done. They charged us interest. I called this person on the phone and said, ''I am trying to figure this out. You owe us money and there is a charge for interest on the bill.'' That is when I began to learn the reality of ''trailing'' interest. It was mind boggling to me, the tricks and the traps that were embedded in these credit card agreements.

We got an e-mail from a constituent. Actually, we have gotten thousands of them, especially in the last 6 months. This letter says the following:

> The reason I am contacting you is because of a problem with Bank Corp. I received several emails from Bank Corp [asking me] to apply for a credit card. I eventually did. The credit card interest rate was to be a fixed 7.99 percent. . . . After the card was approved, the interest rate was 7.99 percent for several months. Then the rate was raised to 23 percent and, as of the July, 2008 statement, the interest rate was raised to 35.49 percent. I called Bank Corp and spoke with Erin, the representative that answered the phone. After being put on hold for [a long period of time], I was told that my account was in good standing. The payments had been made on time. She said Bank Corp had changed their lending practices and that was the reason for the interest hike. I was told there was no lower rates available, even though my account was in good standing. I was also told there was nothing I could do to change this and there was no way to protest the interest hike.

This man asked me, ''Is this legal?'' Sadly, we had to tell him that it was every bit legal.

I understand the risk of unsecured debt. I understand that these banks are trying to get credit to people. But one of my favorite parts of the hearing we had on this subject was in Senator LEVIN's Permanent Subcommittee on Investigations, when I asked one of the credit card executives about the fact that they want to give these cards to college students. I am not lying about this; this was actual testimony given in this hearing. I asked him about the fact that they were sending cards to college students. I was trying to get to the bottom of the practice where they were doing kickbacks to colleges in return for their lists so that they could solicit the students, give them credit cards. My favorite response was when I asked, with as much sincerity as I could muster, ''I guess you find these college students a good risk for all these insecure debt.'' He said, ''Yes, they are very good risks.'' I was thinking: what planet is he on? I have college students. They are no more a good risk than someone who has a horrible credit rating. They send these cards to kids because they know their parents, if they are in college, don't want them to get into trouble and they will bail them out if they get in too deep. They want to hook them into the pattern, charging big, paying interest only, and being on line to them for the principal for the rest of their lives.

We have work to do on this bill. I hope my colleagues on the other side of the aisle join us quickly in getting to a point where we can bring it to a final vote. It will stop many of these abusive behaviors—the ability to raise the interest rate because maybe you missed a utility bill by accident 1 month, or the practice of the trailing interest, where you find the credit card company owes you money and they still charge you interest. There are 3 amendments that I worked on with Senators LEVIN and COLLINS. One is no over-the-limit fee. If they let you go over the limit, they should not charge you a fee. And no interest on fees. And a very important amendment that we can do on credit card data collection so we have more information about what the interest rates are we are paying in America.

The irony of these spikes in interest rates for good credit customers is that this has occurred at a time when interest rates in our country are at a historic low. Ben Bernanke used about all the leverage he could to help our economy by lowering the interest rate, and lower the interest rate, and lowering the interest rate, and these companies can borrow money at very low rates. Yet, to the consumer right now, those interest rates are getting hiked and hiked and hiked—even when the person with the credit card has no indication that they present any kind of financial risk to that credit card company.

We wring our hands here about what we can do to help the people we work for. We know people are hurting now. I am not sure there is any piece of legislation that is more important to the people at home than this credit card bill, bringing to heel these companies who are taking advantage of an unlevel playing field, which is strewn with all kinds of information that is too difficult to even understand. Let's keep it simple and straightforward and make sure the rules are available for all people to understand, and let's make sure they are not engaged in the kind of practices that caused my mother so many sleepless nights.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

AMENDMENT NO. 1079

Ms. LANDRIEU. Madam President, I come to the floor to speak about one of the pending amendments, No. 1079. In a few minutes, I am going to make a motion on that amendment.

I did not get to hear all of what the wonderful Senator and colleague from

Missouri said, but I take it that she, like I, supports the underlying bill. I can appreciate the need for this consumer protection. As chairman of the Small Business Committee, I have been hearing literally for months, as has the occupant of the chair, who has sat through hearings with me—we have heard the tragic stories of small businesses that have done everything right—businesses that had excellent business models, people who have been in business for four decades or longer, businesses that have never missed a credit card payment. You have heard their pleas to us to give them some relief.

The consumers generally have said the same. The wonderful thing is that this underlying bill gives some relief to consumers, to personal credit cardholders. I commend Senator DODD and Senator SHELBY for bringing this bill to the floor. It only got out of this Banking Committee, which is tough to get any pro-consumer legislation out of, unfortunately, by only one vote, I understand. But they got it to the floor. It is a very important bill. People cannot have their interest rates raised without notice. They cannot have their balances double charged. In other words, right now, today, if you owed $5,000 on your credit card and you cashed in your savings bonds and everything else and paid $4,500 on that balance to get it down, under the current law, credit card companies can still charge you the full interest on $5,000. That is wrong. These same companies are receiving billions and billions of taxpayer dollars so they can turn around and fleece the people who are sending them the tax dollars to bail them out. It is unconscionable, truly. So the committee acted. They did the right thing. They extended these protections to consumers.

But there were some potential jurisdictional questions, or perhaps an oversight, that the bill does not protect holders of business credit cards. Twenty-five years ago, this wouldn't have been an issue, because most people who were building a business, or financing one, had other avenues of capital.

You can see on this chart the trend in credit card use. In 1993, 16 years ago, 16 percent of business owners said they used credit cards to finance their operations. In that 16 years, it has gone to 60 percent—from 16 percent to 60 percent. It has become a source of capital and cashflow, a tool, for small business.

Here again is another chart. We have learned this in our hearings we have had. Sources of small business financing in 2009: Credit cards, 59 percent, just about 60 percent; bank loans, 45 percent; vendor credit, 30 percent; used no financing—cash or savings—19 percent; private loans through a friend or family, 19 percent; and SBA loans, 5 percent. That is an important part, although it is small, which helps to finance. It is long term, I might say; our loans are 20, 25, 30 years. Some of these others are only 30- or 60-day loans. It is small, but it is important. We hope with your leadership, Madam President, and that of the Senator from Maine, we can get this number up.

The point of this discussion is this number—60 percent: Small businesses in Louisiana, from New Orleans, to Alexandria, to Shreveport—small business people I see when I am shopping at Costco or at Sam's Club, standing in line, and I know it is not a family because they have four dozen oranges. No family eats that many oranges in a week, so you know they are buying for their small business or restaurant or for their corner store. So we know that these small businesses are relying more and more on credit cards.

In this bill we are voting on, there is no protection for them—zero. This bill only protects personal credit cards, not business credit cards. So the Landrieu-Snowe amendment, cosponsored by the occupant of the chair—and I will get the list of others in a moment—it was cosponsored by several Members of the Senate, and they are Senators CARDIN, SHAHEEN, BROWN, CANTWELL, INOUYE, KLOBUCHAR, SNOWE, COLLINS, and I think others will be joining in support of this amendment. We have decided to offer an amendment that simply says the underlying safeguards for holders of personal credit cards should simply extend to businesses of 50 employees or less, up to $25,000 on their business card, because there are many people who carry a personal card for personal business. Of course, they may carry a business card for business-related business.

I know we have to give consumers relief, but I am here to say, as the chairman of the Small Business Committee, if we don't give our small businesses some relief, we are not going to have an economy to depend on because if we are looking for people to create jobs—which I think is what the President is calling on us to do—those jobs are going to be created by the small businesses of America. That is why in this debate the National Federation of Independent Businesses—not a bastion of liberalism by any means—is supporting this bill, and the American Society of Travel Agents, the American Beverage Licensees, the Consumer Federation of America, the Food Marketing Institute, the National Association for the Self-Employed, representing tens of millions of self-employed individuals—and they find it ironic that we say we are trying to get help to the little guy and we say we are trying to get help from Wall Street to Main Street. Yet every time there are amendments on the floor to actually do that, they never seem to be able to pass.

I know there are arguments that say: Well, we don't know what the effect of this amendment will be. I can tell you what the effect will be. The small businesses in America, the 20 million that will be affected by this, will say: Thank you for not allowing my rates to go up without notice. Thank you for not allowing them to double-charge me if I am paying down $20,000 on my $25,000 balance. Thank you, because I didn't get a penny from the TARP money, but at least I am getting some help through this consumer relief bill.

As I said, the National Federation of Independent Business, the National Small Business Association, the Petroleum Marketers Association of America, the Service Employees International Union, the Small Business Majority, and the Hispanic Chamber of Commerce, the Women's Chamber of Commerce, and the Black Chamber of Commerce have all endorsed this bill. We haven't heard yet from the U.S. Chamber, but I am hoping they will step forward—at least the small business section of the U.S. Chamber. I understand they represent large banks, credit card-issuing companies, so it is tough for them. But somebody has to speak up for small business, and I hope that right now my colleagues will consider this amendment.

Again, I am going to have to call it up for action now and actually move to table it, and when I do that, we will not be able to have any discussion on this because that motion is not debatable. That is why I am speaking about it now. But at least we will get on the record how people feel about this, and I am hoping we can get a substantial vote.

I have decided that even if it is just my vote, and the cosponsors and Senator SNOWE, at least the small business people in America will know there are some people here who understand they deserve the minimal protections this bill provides, particularly at this time, and that in the next year or two, or three, four, or five—until we get on safe ground—we need to be doing everything we can to help small businesses because without them, there will be no recovery. It is not the large businesses that are going to create these jobs. They are going to contract. They are going to redesign themselves. They are going to contract until things are safe. They are going to poke their head out of that shell when the way is clear. The people who are going to run out in the line of fire are the small businesses these people represent. They are the ones who are going to say: No, I am not going down. I am going to hire. I am going to keep moving forward because I know my idea is good or because I know when we come out of this recession, I will be able to make it. These are the people on whom we will build this recovery, and these are the people who need help today. We don't need to study it for 10 years or look at it for 5 years. These organizations represent the millions of businesses that need help today. So on behalf of this coalition, I think the facts are on our side.

This is not an anti-credit card company amendment, this is a pro-small business amendment. I know people have to make money. Everybody has to make money. And everybody is trying

to do what they can. But there is no excuse right now, when small businesses have to rely—as I said, 60 percent of our small businesses—and this is an average. In some States, it probably could be up to 70 percent of small businesses. In some States, maybe it is below 50 or 45. But it is still a significant number of businesses using credit cards to help finance their business. Let's give them a little help today.

So I move to call up and I ask for the yeas and nays on amendment No. 1079. I further move to table the amendment.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Madam President, I withdraw the request, and I ask for regular order on amendment No. 1079.

The PRESIDING OFFICER. The amendment is now pending.

Ms. LANDRIEU. Madam President, in order for me to get a vote on this amendment, I am going to have to ask for the amendment to be tabled. I would like to ask for the amendment to be tabled. Of course, I will be voting not to table it and will be asking for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second on the motion to table?

At the moment, there is not.

The motion to table is not debatable. Those in favor, say aye.

Ms. LANDRIEU. Madam 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.

Ms. LANDRIEU. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Madam President, at this time I would like to remove my motion to table amendment No. 1079, but I would like it to remain pending.

The PRESIDING OFFICER. The motion to table is withdrawn.

Ms. LANDRIEU. I understand the amendment will still be pending. But when cloture is invoked, unfortunately, this amendment is going to fall because it is not germane to the bill so we will not be able to have a vote on this amendment, which was my hope. But because of time constraints and because of the difficulty of getting Members to the floor for the procedures that we would have to go through to have a vote, I am happy to report that the chairman of the committee has agreed to allow our committee, Small Business, to have jurisdiction over this matter.

We will, in the next few weeks, be putting together a bill on the Small Business Administration Reauthorization, which we have to do by matter of course and responsibility. I appreciate Senator DODD agreeing to acquiesce to allow our committee to have jurisdiction over this narrow matter. I intend, with the help of my ranking member, Senator SNOWE, and the help of, I hope, the vast majority of the members of our committee, both Democrats and Republicans—I hope we will stand together to present at that time legislation that can provide real relief to small businesses that need all the help they can get.

We are not asking for artificially low rates to be set. We are not asking to tie credit card companies' hands in the event that small businesses renege on their payment plans or are late paying. We are just saying, if you are a business operating out there and you have paid your bills on time, you are paying your credit cards, you are meeting your obligations, that your rates cannot arbitrarily be raised.

We understand transactions and contracts between business people. This is not the Government stepping in to try to negotiate. This is simply a level playing field between consumers and small businesses.

Again, because 69 percent of businesses in America today depend on credit cards to finance their operations, I am here to say, and our committee will be back saying to the Members of the Senate, we must get our eyes on small business, on their access to credit, on their ability to survive so this recovery can take root, and we can create the kinds of jobs that will be necessary.

I am sorry because of the time constraints and the unwillingness of some here to be cooperative. But I thank the chair of the committee, Senator DODD, for allowing our committee to have jurisdiction. I can promise, as the chair of that committee, this amendment will be on the bill when our bill comes to the floor for consideration and we will get a vote. If people want to vote against our amendment—something may not be exact—fine. Let them vote against it. But I want the record to be clear that there are a number of Members of the Senate, hopefully a majority, who believe the same protections extended to consumers for their credit cards would be extended to businesses in America, small businesses—those with 50 employees or less—with at least a $25,000 limit on their credit card. It is not going to be every business in America that will get covered, but it is the small businesses that are having the most difficult time.

I yield the floor.

Ms. SNOWE. Madam President, I rise today to join my good friend Senator LANDRIEU, the chair of the Senate Committee on Small Business and Entrepreneurship, on an amendment addressing a key deficiency in the Dodd-Shelby substitute, or Credit Card Accountability Responsibility and Disclosure—CARD—Act, currently pending before the body.

I congratulate Senate Banking, Housing, and Urban Affairs Committee Chairman DODD and Ranking Member SHELBY for their stalwart efforts to bring this critical bill to the floor to protect consumers from credit card abuses. However, as drafted, the measure would leave small businesses out in the proverbial cold. Accordingly, the amendment we are filing today would extend the protections in both the Truth in Lending Act as well as the bill we are considering today to any credit card used by the 26.6 million small businesses with 50 or fewer employees. I would like to thank Senators BROWN, CANTWELL, COLLINS, CARDIN, INOUYE, KLOBUCHAR and SHAHEEN for cosponsoring our amendment.

Although we will undoubtedly debate how broadly they should be written, the provisions the CARD Act contemplates would provide vital safeguards to consumer credit cards. No longer could credit card companies arbitrarily raise interest rates on outstanding balances at any time for any reason or increase them on future purchases without sufficient notice. Unbelievably, the Pew Charitable Trusts in its report, Safe Credit Card Standards, found that ''93 percent of cards allowed the issuer to raise any interest rate at any time by changing the account agreement.'' Should they choose to carry a balance, once this bill is enacted into law, people will have certainty with respect to how much interest they will pay on their purchases and will not go to bed one night thinking they have a 10-percent rate only to wake up facing a 32-percent rate.

Additionally, this bill will prevent credit card companies from engaging in other abusive practices, such as ''two-cycle'' billing whereby a company assesses interest not only on the balance for the current billing cycle, but also on the balance for days in the preceding billing cycle. Moreover, the bill before the Senate will put an end to schemes that allow credit card companies to apply the entirety of a payment to balances with the lowest interest rates and, thereby, help families, which today have an average credit card balance of nearly $10,700 and are struggling to stay afloat, emerge from a vicious cycle of debt. Finally, we will ensure that customers have 21 days to pay a bill once it is sent so that they have sufficient time to make a payment.

While this legislation would take great strides to shield consumers from abusive practices, it does not extend these safeguards to our Nation's small business owners who use credit cards to purchase goods and services, make payroll, and ultimately create 75 percent of this Nation's net new jobs. The fact is according to the National Federation of independent Business'—NFIB's—Access to Credit poll published in 2008, 85 percent of small business owners have one or more credit cards that they use for business purposes. NFIB data also revealed that 74 percent of small business owners use at least one business credit card, while 39 percent use at least one personal card.

Yet the bill before the Senate amends the Truth in Lending Act, which applies only to ''consumer'' transactions

that are defined as ''one in which the party to whom credit is offered or extended is a natural person, and the money, property, or services which are the subject of the transaction are primarily for personal, family, or household purposes.'' The measure does not protect our Nation's small business owners—many of whom, as I just mentioned—utilize credit cards to finance routine transactions.

First and foremost, the protections in the bill would not extend to entrepreneurs who make purchases for their enterprises using a small business credit card. Even more troubling is that, in many cases, the small business credit cards are, like consumer cards, issued based on the personal credit history of the card holder. Thus, although the two types of cards are in many instances indistinguishable, two different sets of rules and protections can apply.

Second, and although there is some debate among experts on this point, there is concern that the safeguards in the CARD Act may not apply if an individual made a significant amount of business purchases on a consumer credit card. The reason is that the Truth in Lending Act only protects purchases made on consumer cards primarily for personal, family, or household purposes, and it is unclear at what point businesses purchases would cease to qualify for protections if made on consumer credit cards. To protect small businesses with 50 or fewer employees, the Senate should clarify that purchases made on behalf of an enterprise using a consumer card will receive the protections in this bill.

Omitting 26.6 million of this Nation's job-creating small businesses from credit card protections could have extremely serious consequences, particularly at a time in which we are counting on our small employers to lead us out of the most devastating economic recession since the Great Depression. Indeed, as Todd McCracken, the president of the National Small Business Administration, NSBA, testified on March 19 before the Senate Committee on Small Business and Entrepreneurship, on which I serve as ranking member, the credit card companies are abusing small firms. In fact, Mr. McCracken wrote in his testimony, ''Imagine trying to run a business when one's carefully-constructed business plan is upended by a retroactive interest rate hike. How can a small-business owner be expected to maintain—let alone grow—her business when the capital she has already used is no longer subject to the 12 percent interest rate she agreed to but an egregiously punitive 32 percent?''

These abuses are not just isolated incidents; they really do occur. To quantify what small businesses are facing, the NFIB's Credit Card survey found that excluding cases involving an introductory offer, 20 percent of small business owners saw the interest rate on their outstanding balances increased at least once. Furthermore, 25 percent of small businesses were given less than three weeks notice to make a credit card payment on at least one occasion, providing compelling evidence that action must be taken.

I would also like to mention that other survey results bolster the NFIB's conclusions. For example, the NSBA's 2009 Small Business Credit Card Survey found that 57 percent of small business owners reported receiving their bill too close to the due date to mail it and have it be received on time. Incredibly, 33 percent of respondents reported receiving their credit card statement after its due date! That practice is simply outrageous, and it must be stopped!

To ensure that small businesses are not shortchanged and are adequately protected, the amendment Senator LANDRIEU and I are offering today would amend the definition of ''consumer'' in the Truth in Lending Act to include any small business having 50 or fewer employees. Accordingly, our amendment would have two beneficial effects:

First, it would extend all of the safeguards in the bill before us to small businesses with 50 or fewer employees regardless of whether they use a consumer of business credit card to make purchases. Small businesses would, therefore, be free from worries about any time interest rate increases and other abuses from which Americans have suffered from for far too long.

Second, the bill would extend protections already included in the Truth in Lending Act to small businesses. As a result, irrespective of whether they use a consumer or business card, our small firms would now be entitled to receive meaningful disclosures that will enable them to understand the terms of credit being offered and to compare one credit product to another. Such required disclosures include the finance charge, annual percentage rate, any charges that may be imposed, and a statement of billing rights. Our entrepreneurs should be focused on creating jobs instead of having to try to navigate very complicated credit card terms that are buried in fine print.

America's small businesses—the engine that drives our Nation's economy—deserve to be protected from potential credit card abuses that could cripple their operations. Their business plans should no longer be subject to the whims and arbitrary rate increases of the credit card companies.

In closing, I am pleased to report that the following organizations have endorsed the Landrieu-Snowe amendment: the National Federation of independent Business, National Small Business Association, American Beverage Licensees, American Society of Travel Agents, Center for Responsible Lending, Consumer Action, Consumer Federation of America, Dēmos: A Network for Ideas & Action, Food Marketing institute, National Association of College Stores, National Association for the Self-Employed, National Association of Theatre Owners, National Community Reinvestment Coalition, National Consumer Law Center, on behalf of its low income clients, Petroleum Marketers Association of America, Service Employees International Union, U.S. Hispanic Chamber of Commerce, U.S. PIRG, and the U.S. Women's Chamber of Commerce.

I ask my colleagues to join us and the groups I have just mentioned to support this targeted and commonsense amendment that would allow entrepreneurs to focus on what they do best; namely, creating new jobs.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Madam President, I thank Chairman DODD for his hard work on this legislation. He deserves a great deal of applause and congratulations for putting the issue on Congress' agenda and for producing a very strong bill.

Nobody in this body or in this country needs to be told about the effect of subprime mortgages on America's families. We have seen the impact that unsustainable mortgage debt has had on our economy, and we know the pain it has caused. But while mortgage debt grew by 200 percent over a quarter century, credit card debt grew by more than 350 percent. Studies suggest that credit card debt plays an even larger role than mortgages in causing personal bankruptcies.

Even the explosion in mortgage debt has a lot to do with credit cards. Many Americans took predatory mortgages because they needed a way out of the massive credit card debt. A mortgage might have done them in, but their story started with a credit card.

Credit card debt is more than an economic issue, it is a families issue and a children issue. The explosion in credit card debt has taken a toll on all Americans, but children have been hit the hardest. In 2004, families with minor children were more than three times as likely to file for bankruptcy as their childless friends, and more children lived through their parents' bankruptcy than their parents' divorce.

We know bankruptcy has a devastating impact on families. Children in bankrupt families lose the comfort of a stable home. They can lose their ability to go to college. They might even lose more. Credit counselors report that families struggling with excessive debt are more likely to experience domestic abuse.

The explosion in credit card debt in this country was not the result of reckless spending by American families. Family spending on luxuries is roughly what it was 30 years ago. The face of debt in this country is not an irresponsible teenager but is a mother in over her head. Nor is our debt problem simply a matter of supply and demand. American consumers have not suddenly decided they liked high fees, harsh penalties, and skyrocketing interest rates. These expensive provisions are hidden in the fine print of card applications mailed to vulnerable communities.

Card companies call this outreach. I call it deception.

The reforms we are considering will not disrupt the system. They cannot stop credit card companies from providing credit. Any company that wants to help consumers live within their means has nothing to fear from this legislation. Any company that wants to offer a service to American consumers has nothing to fear. But if you are planning to mislead consumers, this bill will stop you. If you are planning to offer low rates and charge high ones, we will stop you. If you are planning to trick customers into paying fees and penalties, we will stop you. If you are planning to profit from the misery of American families, we will stop you. Frankly, it is about time.

Before I close I wish to quickly address an amendment offered by the senior Senator from Colorado. The amendment requires that Americans requesting their credit report also receive their credit score. For 6 years, credit agencies have violated the intent of Congress by failing to provide this information. Legislation passed 6 years ago required them to provide one credit report each year for free, but these credit reports do not have to include the one piece of information that is crucial and easiest to understand—the customer's credit score. The Mark Udall amendment will help Americans manage their credit without burdening credit agencies or anybody else. It is a good idea. I support it. I encourage all my colleagues to support it.

I yield the floor.

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. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH.) Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1124

Mr. PRYOR. Mr. President, I rise to offer my support for the amendment on usury from my colleague from Arkansas, Senator LINCOLN. As some of you know—not all but some of you—Arkansas has a very strict usury limit in its State constitution, and it is been there for a long time. In fact, it used to be even more restrictive. Back in the 1980s, the people went to the ballot box, and they changed the constitution and made it much less restrictive than it was originally, but it is still very restrictive by national standards. But what has happened nationally has changed things in Arkansas and put Arkansas at a disadvantage.

I know there have been bills here like the Gramm-Leach-Bliley Financial Modernization Act in 1999. I know it was well intentioned. I know there were good reasons, good national reasons and good financial reasons and a lot of good reasons to do that. However, what that act did is it preempted the Arkansas State Constitution by permitting in-state banks to charge the same rate of interest as the home State of any out-of-State bank that has a branch in that State. It was not specifically designed for or against Arkansas, but it was in the bill, it was in the law, and it has been the law since 1999. What that did is it, in effect, nationalized the usury rate for banks. Arkansas banks can now charge a higher interest rate than they could before Gramm-Leach-Bliley.

The injustice occurs when you look at the lending institutions that are not banks—maybe the State Student Loan Authority, maybe captive finance companies, maybe other types of lenders that are not banks. What has happened is it has worked a hardship, and some of those lenders cannot do business in Arkansas; they cannot afford to. So many small businesses, family-owned businesses such as car dealers and furniture retailers, cannot finance their goods to Arkansas consumers. The Arkansas consumer, if they can do it, maybe goes to a bank or a credit union or some other lending institution, in many cases paying a pretty high interest rate in order to get the money to do business. This hurts the Arkansas business community. It hurts the Arkansas economy.

Right now, what has happened is, given the stimulus bill—there are many financing tools in the stimulus bill for constructing roads and schools, for building renewable energy projects, the Build America Bonds, et cetera. But Build America Bonds are not available in our State because of the lack of competitiveness in the bond market. Again, it is our interest rate.

Given the financial times we are in, we find we are put at a disadvantage. No one intended this. Congress never did, the White House never did, the Congress back in 1999 did not want this to happen. But it is where we find ourselves today.

The people of Arkansas have once again decided to put this issue on the ballot, and they are going to do it. It has been referred out to the people. The legislature made that decision. It is on the ballot. The problem is, it is not until November 2010. So we have a year and a half to try to struggle through this economy with this very difficult, very adverse usury limit in our State.

What we are asking, what Senator LINCOLN and I are asking, given this amendment, is that we get temporary relief only through November 2010. This is just about an 18-month fix, to give us some relief during this time, get the credit flowing in our State the way it has been able to flow in other States, and let us take advantage of the stimulus bill, the stimulus package, the America Recovery Act we have already passed, that we all benefit in certain ways, to let us in the State of Arkansas have the full benefit. The Governor supports this, and members of the legislature support this. They have asked us to do this for the people of the State of Arkansas.

People need to understand what this amendment will do. It will permit the current interest rate not to exceed—once this is passed, the interest rate cannot exceed 17 percent. We are not talking about taking the usury rate completely out of our State law; we are talking about giving us some temporary relief, up to 17 percent. Again, when it comes to some of the financing vehicles, such as student loans and bonds of various types, this is crucial to letting investment happen in our State.

There is precedent for this. Congress enacted, several years ago, laws that preempted Arkansas' usury provision for, as I mentioned before, the banking industry and for some other businesses. So we have done this before. Again, I am not sure those laws just affected Arkansas; they probably affected a lot of States. But basically, right now Arkansas is the only State left that needs some relief under the current situation in which we find ourselves.

The way it works right now, to let you all know, in our State, the limit for usury—an interest rate in our State is 5.5 percent. And 5.5 percent is a very low rate. It is a historically low rate. But it is because the Fed rate and some of the other things have gone so low. Our rate is tied to those Fed rates, those national rates. Again, in a good economy, in most years that makes sense, but right now it does not.

So what Senator LINCOLN and I are respectfully asking our colleagues to do is support her amendment, allow it to become law, allow Arkansas this temporary relief, not just to benefit from the stimulus bill we have already passed but also to benefit from—or at least find some relief in this very tight economy, to ease some credit in our State, to help the recovery in our State as we are hoping to find in every other State in the Union.

With that, I ask that when we do vote on the Lincoln amendment, we would all support it and that we would help relief come to all 50 States, not just 49 States. Again, this is temporary. It caps the interest rate at 17 percent, which by most standards is a very reasonable cap. It is something that will allow the credit to flow in our State and will allow student loans, the Build America Bond Program to have the full effect they need to have here in Arkansas.

With that, I thank my colleagues for their attention.

Mrs. FEINSTEIN. Mr. President, I rise today on behalf of myself and Senators CORKER, CASEY, GRASSLEY, KERRY, LEVIN, MENENDEZ, and KOHL, to speak about our amendment to strengthen the underlying bill's protections for young consumers, and help

address the growing problem of college student indebtedness.

During this severe economic crisis and credit crunch, many Americans—especially college students with limited incomes—find themselves relying on credit cards more than ever before.

Our amendment will place commonsense restrictions on credit card marketing to college students; provide for increased transparency in university marketing deals with credit card issuers; and, protect students from some common credit traps.

This amendment achieves four essential objectives. It will: (1) prohibit credit card companies from offering gifts to students in exchange for completing credit card applications; (2) require universities to publicly disclose marketing agreements made with credit card issuers; (3) require credit card companies to report how much money they are giving to schools and alumni associations through these agreements, and what they receive from the universities in exchange; and, (4) call upon the Government Accountability Office to study the extent of these deals and their impact on student credit card debt.

The growing reliance of college students on credit cards, and the staggering credit card debt that many students accumulate by the time they graduate, underscores the need for this amendment.

According to a report released earlier this year by Sallie Mae: 84 percent of all undergraduates have at least one credit card; the average student has more than four credit cards; 9 out of 10 college students use credit cards for direct educational expenses, and 30 percent charge some tuition to their cards; the average balance for these students is $3,173—and 82 percent of college students carry a balance each month which requires them to pay finance charges. Nearly one in five college seniors hold $7,000 or more in credit card debt.

A study by U.S. Public Interest Research Group found that college students' credit card balances have soared 134 percent in the past 10 years.

The study also found that 76 percent of college students reported stopping at a table on or near campus advertising credit cards, and that nearly a third of students were offered a free gift in exchange for signing up.

Credit card companies lure cash-strapped students with all kinds of offers. Free food. T-shirts—the most-common inducement. Frisbees. Candy. Even iPods. All for filling out a credit card application.

More than a dozen States currently restrict credit card marketing on college campuses.

In California, credit-card marketers can't lure students with free gifts; in Oklahoma, colleges can no longer sell student information for credit-card marketing purposes; and, in Texas, on-campus credit-card marketing may only occur on limited days in certain locations.

With credit card companies aiming their marketing more and more at students, we are seeing colleges and universities increasingly entering partnership agreements with these companies.

These agreements produce millions in revenue for colleges and universities, while banks get exclusive marketing access and student contact information.

As State funding shrinks for public universities, such deals grow.

We don't know much about the agreements between credit card companies and universities. But we do know that schools often receive large cash payments in exchange for providing students' personal information, including permanent addresses, e-mail addresses and phone numbers.

This enables companies to target students with precision.

Some contracts even pay universities if students have a balance on the card after 12 months, which suggests some universities stand to profit from the debt carried by their students.

The sheer scale of these contracts is astounding: Michigan State has an $8.4 million contract with Bank of America; and, the University of Tennessee has a $10 million contract with Chase.

Bank of America has agreements with nearly 700 colleges and alumni associations.

Virtually every major university boasts a multimillion-dollar affinity relationship with a credit-card company.

It is vital that schools make these agreements public.

Colleges should not encourage their students to sign up for products with high interest rates and fees that could get them bogged down in debt.

These arrangements can get students, who are just starting out, into deep trouble that can stay with them for decades.

This is shameful.

The underlying bill provides much-needed safeguards for young consumers, who too often do not have the financial knowledge and experience to manage their credit wisely.

I commend Chairman DODD and Ranking Member SHELBY for their leadership in crafting this well-balanced legislation.

Under this bill, issuers are required to obtain a cosigner or income verification for anyone under age 21 that applies for a credit card.

And, prescreened offers of credit to young consumers under age 21 will be limited.

Issuers also will not be allowed to increase the credit limit on accounts where a cosigner—such as a parent or guardian—is liable unless the cosigner authorizes the increase.

These provisions will play an important role in protecting college students, and all young consumers, from deceptive practices.

Our amendment will enhance these protections.

Developing good credit is essential, and it is difficult to develop good credit without holding credit cards.

When used responsibly, credit cards are convenient, and provide purchasing power that otherwise may not be available.

But many students begin using credit cards with highly unfavorable terms, and end up ruining their credit.

Shining a light on the agreements between universities and credit card issuers not only makes good sense. It may also act as a deterrent to deals with highly unfavorable terms for students.

Parents, students and the public should be aware of what kind of deals are in place and why they exist.

Also, this amendment will address the incentive of the free gift for signing up for a credit card. Too often, students sign up for credit cards to receive a free gift, and then have difficulty canceling the card, or may face hidden fees and charges.

I urge my colleagues to join us in putting in place these commonsense restrictions to protect college students across this Nation.

Mr. President, I would like to say a word about the minimum payment disclosure provisions in this bill.

When we considered the Bankruptcy Abuse Prevention and Consumer Protection Act in 2005, we said that our goal was to balance fairness, and responsibility. I agreed with this goal, but in the end, I voted against the bill because I did not believe it achieved that balance.

Since that time, I have continued to say that we need to do more to protect Americans from abusive credit practices and to ensure that consumers have the information they need to make good, informed financial decisions.

In every Congress since 2005, I have introduced a bill to require credit card companies to disclose what the real financial effects are when a consumer makes only the minimum monthly payment on her credit card balance each month.

I am very pleased that Senators DODD and SHELBY have included similar provisions in the credit card bill that we are considering today.

The bill requires that all credit card statements include a general warning about the effects of making minimum payments, personalized information showing a cardholder exactly how much it will cost and how long it will take to pay off their balance if they make only the minimum payment each month, and a phone number that consumers can call to get a reliable credit counseling referral.

I am confident that these warnings will make a significant difference for consumers.

I think we are all familiar with minimum monthly payments—this is the amount listed at the top of your credit card statement that you have to pay each month to avoid a fee.

What people are less familiar with though, is the effect of these minimum payments.

Let me give you an example. In November 2008, according to USA Today, the average American had $10,678 in credit card debt.

Now let's take a family holding that amount of debt at this week's average interest rate of 10.78 percent. If that family consumer made only a 2 percent minimum payment on their bill each month, it would take them over 28 years and a total of $19,144 to pay that card off. And that is assuming they didn't ever charge another penny to the card—no cash advances, no gas purchases, no trips to the mall.

In the end, the consumer would have paid $8,466 in interest on slightly over $10,000 in debt.

And 10.78 percent is a relatively low rate for many Americans. Interest rates around 20 percent are not uncommon, and penalty interest rates can reach as high as 32 percent.

Consumers need to know how these amounts add up.

Let me tell you one more troubling thing about minimum payments. In December, the Economist reported on a study done on these requirements.

In the study, a psychologist at a British university gave 413 people fake credit card bills. All of the bills said the person owed about $650 total, but half of them listed a minimum payment of around $8. The other half made no mention at all of a minimum payment.

What the study found was that when the minimum amount was listed, people were inclined to pay less of their total bill. In fact, among people who chose not to pay their full balance, people paid 43 percent less when they saw a minimum payment amount on their bill.

Behavioral economists describe this as a ''nudge'': By showing the minimum amount, the statement ''nudged'' the consumer to pay less than he or she would have otherwise.

Now obviously, this is good for the credit card company—the consumer ends up paying less each month but more in interest over time, and that's how the credit card companies make their profits.

But this is terrible for consumers, who can end up underwater, with huge balances owed, and not understand how they got there.

People need to know the effects of making minimum monthly payments, and this bill will finally require credit card companies to show them.

I believe the disclosure requirements in the bill will go a long way toward helping consumers make good financial decisions and helping them to avoid ending up in bankruptcy. So I want to commend my colleagues, Senator DODD and Senator SHELBY, for their hard work on the bill before us today. These warnings have been a long time in coming, and I will be very pleased to see them enacted into law.

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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that no further amendments be in order, except a managers' amendment, which has been cleared by the managers and leaders, and that at 10 a.m. Tuesday, May 19, the Senate resume consideration of H.R. 627, and proceed to vote on the motion to invoke cloture on the Dodd-Shelby substitute amendment No. 1058; that if cloture is invoked on the substitute amendment, then the Senate proceed to consider any pending germane amendments; that upon disposition of those amendments, all postcloture time be yielded back; the substitute amendment, as amended, be agreed to, the bill, as amended, be read a third time, and the Senate then proceed to vote on passage of the bill; that the cloture motion with respect to H.R. 627 be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

FRAUD ENFORCEMENT AND RECOVERY ACT OF 2009

Mr. REID. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House with respect to S. 386, the Fraud Enforcement and Recovery Act.

There being no objection, the Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 386) entitled ''An Act 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'', do pass with amendments.

Mr. LEAHY. Mr. President, today, the Senate has passed the bipartisan Fraud Enforcement and Recovery Act of 2009, S.386. This bill will soon be sent to the President to be signed into law. The House passed this bill overwhelming just last week. This bill is a major step toward holding accountable those who have caused so much damage to our economy. It will also help protect our economic recovery efforts from the scourge of fraud.

Our bill will strengthen the Federal Government's capacity to investigate and prosecute the kinds of financial frauds that have so severely undermined our economy and hurt so many hard-working people in this country. These frauds have robbed people of their savings, their retirement accounts, their college funds for their children, and their equity and have cost too many people their homes. The bill will help provide the resources and legal tools needed to police and deter fraud and to protect taxpayer-funded economic recovery efforts now being implemented.

I want to once again commend Senator GRASSLEY, our lead cosponsor, for his leadership at every stage in this process. He helped to write this legislation and to manage it on the Senate floor, where it ultimately passed 92 to 4. He also worked tirelessly to make important and difficult compromises with Senate and House leaders, which was crucial to crafting a consensus a bill that could pass both Houses. He has once again proven his dedication to protecting taxpayer funds by deterring, investigating, and prosecuting fraud.

I thank Majority Leader HOYER and the House leadership, as well as Chairman CONYERS, Ranking Member SMITH and Congressmen BERMAN and SCOTT on the House Judiciary Committee, for working with us to promptly pass this bill in the House with minimal changes and a number of helpful additions. The new ranking member of the Senate Judiciary Committee, Senator SESSIONS, was also very important and supportive in those negotiations.

I thank our many cosponsors for their steadfast support for this effort. Senators KAUFMAN and KLOBUCHAR have worked particularly hard to ensure that this important fraud enforcement bill becomes law, and I thank them for their efforts. Senator KAUFMAN has spoken and written about the need for fraud enforcement all year. We have been joined by a growing bipartisan group of cosponsors that now stands at 28. And I thank our majority leader and our underappreciated cloakroom and floor staff for all that they have done on this bill.

Mortgage fraud has reached near epidemic levels in this country. Reports of mortgage fraud are up 682 percent over the past 5 years, and more than 2800 percent in the past decade. And massive, new corporate frauds, like the $65 billion Ponzi scheme perpetrated by Bernard Madoff, are being uncovered as the economy has turned worse, exposing many investors to massive losses. We can now finally take action to better protect the victims of these frauds. These victims include homeowners who have been fleeced by unscrupulous mortgage brokers who promise to help them, only to leave them unable to keep their homes and in even further debt than before. They include retirees who have lost their life savings in stock scams and Ponzi schemes, which have come to light as the markets have fallen and corporations have collapsed. They also include American taxpayers who have invested billions of dollars to restore our economy, and who expect us to protect that investment and make sure those funds are not exploited by fraud.

This legislation will immediately give Federal law enforcement agencies the tools and resources they need to combat fraud effectively. In the last 3 years, the number of criminal mortgage fraud investigations opened by the Federal Bureau of Investigation,

FBI, has more than doubled, and the FBI anticipates that number may double yet again. Despite this increase, the FBI currently has fewer than 250 special agents nationwide assigned to financial fraud cases, which is only a quarter of the number the Bureau had more than a decade ago at the time of the savings and loan crisis. At the current levels, the FBI cannot even begin to investigate the more than 5000 mortgage fraud allegations referred by the Treasury Department each month.

In the late 1980s and early 1990s, Congress responded to the collapse of the federally insured savings and loan industry by passing legislation similar to the bill we consider today, to hire prosecutors and agents. While the current financial crisis dwarfs in scale to the savings and loan collapse, we are poised to once again take decisive action.

At its core, the Fraud Enforcement and Recovery Act authorizes the resources necessary for the Justice Department, the FBI, and other investigative agencies to respond to this crisis. In total, the bill authorizes $245 million a year over the next 2 years to hire more than 300 Federal agents, more than 200 prosecutors, and another 200 forensic analysts and support staff to rebuild our Nation's ''white collar'' fraud enforcement efforts. While the number of fraud cases is now skyrocketing, we need to remember that resources were shifted away from fraud investigations after 9/11. Today, the ranks of fraud investigators and prosecutors are drastically understocked, and thousands of fraud allegations are going unexamined each month. We need to restore our capacity to fight fraud in these hard economic times, and this bill will do that.

Fraud enforcement is an excellent investment for the American taxpayer. According to recent data provided by the Justice Department, the government recovers more than $20 for every dollar spent on criminal fraud litigation. Strengthening criminal and civil fraud enforcement is a sound investment, and this legislation will not only pay for itself, but will bring in money for the Federal Government.

In addition, the Fraud Enforcement and Recovery Act makes a number of straightforward, important improvements to fraud and money laundering statutes to strengthen prosecutors' ability to combat this growing wave of fraud. It also strengthens one of the most potent civil tools we have for rooting out fraud in government—the False Claims Act. The Federal Government has recovered more than $22 billion using the False Claims Act since it was modernized through the work of Senator GRASSLEY in 1986, but this bill will make the statute still more effective. In fact, the amendments the House made to the bill, after extensive input from Senator GRASSLEY and Congressman BERMAN, strengthen the False Claims Act further still.

The Fraud Enforcement and Recovery Act has broad bipartisan support, as well as the strong backing of the Justice Department and the Obama administration. As explained in the Statement of Administration policy:

> 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.

Strengthening fraud enforcement is a key priority for President Obama. During the campaign, President Obama promised to ''crack down on mortgage fraud professionals found guilty of fraud by increasing enforcement and creating new criminal penalties.'' And the President made good on this promise in his budget to Congress by calling 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.'' The initial Senate-passed recovery package included additional money for the FBI for this purpose, but it was cut during the negotiations that led to its passage. This bill, the bipartisan Fraud Enforcement and Recovery Act, is our chance to authorize the necessary additional resources to detect, fight and deter fraud that robs the American people and American taxpayers of their funds. Strong support from the President and the Justice Department has been integral to making progress on this important bill.

This is and has been bipartisan legislation. Our cosponsors and our supporters in both Houses of Congress come from across the political spectrum—Democrats, Republicans, and Independents. What we share is a commitment to fight fraud and the horrible costs it is imposing on hard-working Americans. I believe that our efforts are supported by most Americans. No one should want to see taxpayer money intended to fund economic recovery efforts diverted by fraud. No one should want to see those who engaged in mortgage fraud escape accountability. Law enforcement agencies desperately need the resources and tools in this legislation.

During these first months of the year, the Judiciary Committee has concentrated on what we can do legislatively to assist in the economic recovery. Already we have considered and reported this fraud enforcement bill, the patent reform bill, and worked to ensure that law enforcement assistance was included in the economic recovery legislation.

The recovery efforts are generating signs of economic progress. That is good. That is necessary. But that is not enough. We need to make sure that we are spending our public resources wisely and that they are not being dissipated by fraud. We need to ensure that those responsible for the downturn through fraudulent acts in financial markets and the housing market are held to account. That is why the Fraud Enforcement and Recovery Act is so needed.

The bill has also received the support of the Fraternal Order of Police, the Federal Law Enforcement Officers Association, the National Association of Assistant United States Attorneys, the Association of Certified Tax Examiners, and Taxpayers Against Fraud. It was strongly endorsed by an editorial in The New York Times on April 18, 2009.

I thank Senators for joining with us to take decisive action to protect American families and our economy from fraud.

Mr. REID. Mr. President, I ask unanimous consent that the Senate concur in the House amendment with the amendment which is at the desk; and that the motion to reconsider be laid upon the table; further, that the Senate then concur in the title amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1128) was agreed to, as follows:

(Purpose: To modify the provision relating to the issuance of subpoenas)

On 31, line 13, after ''the Commission'' insert '', including an affirmative vote of at least one member appointed under subparagraph (C) or (D) of subsection (b)(1)''.

The title was amended so as to read:

''An Act to improve enforcement of mortgage fraud, securities and commodities 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.''.

WEAPONS ACQUISITION SYSTEM REFORM THROUGH ENHANCING TECHNICAL KNOWLEDGE AND OVERSIGHT ACT OF 2009

Mr. REID. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House on S. 454.

There being no objection, the Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendment to the bill (S. 454) entitled ''An Act to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.'', and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. REID. Mr. President, I ask unanimous consent that the Senate disagree to the House amendment, agree to the request for a conference on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees, and that the Senate Armed Services Committee be appointed as conferees.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Presiding Officer appointed Mr. LEVIN, Mr. KENNEDY, Mr. BYRD, Mr.

LIEBERMAN, Mr. REED, Mr. AKAKA, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. BAYH, Mr. WEBB, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mrs. HAGAN, Mr. BEGICH, Mr. BURRIS, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. CHAMBLISS, Mr. GRAHAM, Mr. THUNE, Mr. MARTINEZ, Mr. WICKER, Mr. BURR, Mr. VITTER, and Ms. COLLINS conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. REID. Mr. President, there will be no votes until Tuesday morning.

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. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2009

Mr. DODD. Mr. President, before the leaders leave the floor, I thank the majority leader and the Republican leader for their tremendous help in putting this agreement together. I look forward to a favorable vote on Tuesday. I wanted them to know how much I and the consumers in this country appreciate immensely the work of the leaders. I thank, particularly, the majority leader, HARRY REID, for his involvement to make it possible for us to get to this moment. I also include Senator SHELBY and others.

I hoped to be able to complete the bill today. Obviously, that didn't happen. We have reached a framework by which we can vote on Tuesday. There will be a managers' amendment, and we hope to be able to accommodate this agreement in that package. It doesn't suggest that every amendment will be agreed to. Where we can, we will try to do that.

This is a strong bill. I thank the members of the Banking Committee—both Democrats and Republicans—who worked on it. I am grateful to Senator SHELBY and his staff for bringing us to this moment in the hopes that on Tuesday we will have the final conclusion of this effort.

I thank the other body, as well, particularly Chairman BARNEY FRANK, from Massachusetts, for his leadership. He has done a masterful job in the other body in bringing Democrats and Republicans together with an overwhelming vote in that Chamber in support of credit card reform. We will talk over the weekend, as we usually do, to see if we cannot resolve any outstanding issues that will allow this bill to quickly arrive on the President's desk. The President said he wants it before Memorial Day. I think we can do that. My hope is that we will complete the work on Tuesday and, by the end of next week, maybe we can send the bill to the President for his signature.

I cannot think of a better message to the American people. I say that while my colleagues and the President would like a bill, the people we represent need a bill to provide economic relief for them. That was the design of this legislation—to provide needed economic relief for millions of Americans, who have watched rates and fees go through the ceiling.

This bill is not going to solve every economic problem. For the first time that I know of in the history of the Congress, despite these cards being available for half a century and more, in some cases, we are taking a step to reform an industry that, frankly, has gotten out of control when it comes to fees and rates, as we have witnessed with 70 million accounts having interest rates raised in the last couple of years, and one out of every four families being adversely affected.

Every member of the Chamber can tell an anecdote about constituents who have faced difficulties with credit card fees and interest rate hikes. I think we are all pleased that we are finally doing something in a meaningful way on this. It is not the end of the discussion.

There are a lot of other aspects of the industry that need reform as well. My colleagues are anxious to get to those, including the interchange issue, which retailers have talked to me about for years. We can try to provide relief for them. We don't provide real relief in this bill, except a study that Senators CORKER, DURBIN, and others, including myself, want to be done to get answers on how to reform the interchange fees issue. I hope we can get answers to that and talk about a legislative fix in that area as well. This bill avoids that question, not because we disagree with reforming the interchange fee but we felt it was more than we could take on with this bill.

This bill only came out of the Banking Committee with a 1-vote margin, 12 to 11. It is a very delicate balance. We needed to be careful not to tilt this legislation to such a degree that we would have lost the opportunity to provide any reform at all. We are not potentates here; we have to work with each other. We have done that in this case and produced a very fine piece of legislation.

I hope my colleagues will lend their support to this legislation when we have the final consideration of it on Tuesday.

MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate go into a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE NATION'S PUBLIC SERVANTS

Mr. AKAKA. Mr. President, I rise today to commemorate this Nation's many dedicated public servants.

As we confront the global outbreak of the 2009 influenza H1N1 virus, public servants are on the front lines in a coordinated Federal, State, and local government response, working to provide the public with accurate, real time information to reduce the possibility of further infection. At our borders and ports, Federal employees are monitoring incoming visitors for signs of illness. State and local health officials are monitoring, testing, and treating people with suspected cases of the flu virus.

This effort is one of the many contributions hardworking, talented government employees make to improve our lives every day. They deliver our mail, care for our veterans, guard our prisons, protect our borders and communities, defend our country, and educate our children. They influence the lives of people around the world as diplomats, promoting peace, prosperity, and democracy in conflicted regions, and providing critical assistance to developing and impoverished communities.

In honor of these and many other unsung activities of public servants, I offered an annual resolution, S. Res. 87, which unanimously passed the Senate on April 21, 2009, to recognize the dedicated men and women who serve our country, honor those brave heroes who died in service to their country, and encourage all Americans to consider a career in public service.

Last week was Public Service Recognition Week. We set aside the first full week of May to recognize and honor the accomplishments of Federal, State, and local government employees. Across the country, hundreds of events took place in appreciation of the millions of public servants who serve as the quiet bedrock of our Nation's workforce. This year's celebration included a 4-day exhibition on the National Mall where more than 100 civilian and military Federal agencies showcased their programs and initiatives to the public.

In his 1961 inaugural address, President John F. Kennedy called on all Americans to make a commitment to public service. His call inspired a generation to serve. President Barrack Obama again called for action in his inaugural address. Public interest in Federal Government jobs is increasing, but we must ensure that Americans who embrace a public service career are not deterred by the lengthy and complicated hiring process. Last week, I held a hearing on how to improve Federal job recruitment so that we can harness the renewed spirit of service that President Obama has inspired. There is no better time to rise to the occasion and serve.

As a former teacher and a life-long public servant, I am proud to highlight

the importance of Public Service Recognition Week. This is a critical time for our Nation, with many domestic and global challenges. Although we have designated a week to honor government employees, I rise today to stress the importance of remembering the invaluable service of public servants throughout the year. Our way of life—and the strength of our country would not exist without the work of public employees. And so to all the dedicated men and women currently serving our Nation, mahalo nui loa—thank you very much—for all that you do.

Mr. President, I am including Director John Berry's letter of support for Public Service Recognition Week with my statement and ask unanimous consent that it be printed in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF PERSONNEL MANAGEMENT,
Washington, DC, May 5, 2009.

Hon. DANIEL K. AKAKA,
Chairman, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to thank you for your sponsorship of S. Res. 87, a resolution expressing the sense of the Senate 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.

As you know, Public Service Recognition Week, celebrated the first Monday through Sunday in May since 1985, is a time set aside each year to honor the men and women who serve America as Federal, state and local government employees. Throughout the Nation and around the world, public employees use the week to educate citizens about the many ways in which government serves the people and how government services make life better for all of us.

As the Director of the Office of Personnel Management (OPM), Public Service Recognition Week is the perfect time to spread President Obama's call to public service and to recognize public employees. I am committed to making the Federal government a better place to work by speeding up the hiring process, increasing opportunities for veterans, and implementing programs that help employees balance work and family life.

Thank you for your continued leadership in recognizing the hard work of our public servants during Public Service Recognition Week and I look forward to working with you to make the federal government a better place to work.

Sincerely,

JOHN BERRY,
Director.

REMEMBERING REVEREND ROBERT CORNELL

Mr. FEINGOLD. Mr. President, today I pay tribute to the life of Rev. Robert Cornell, a great Wisconsin public servant and teacher. For most of his life, Reverend Cornell called northeast Wisconsin his home—as a student at St. Norbert Abbey, a Congressman, and a professor of history and government at St. Norbert College.

Reverend Cornell was only the second Catholic priest to be elected to Congress when he represented Wisconsin's Eighth Congressional District from 1975 to 1979. Just as he did all his life, Reverend Cornell came to Washington to fight for education and social justice for the Wisconsinites he represented.

But his greatest accomplishments may have come in the halls of St. Norbert College as he used history to help guide young Wisconsinites to new levels of academic achievement. During his decades in the classroom, Reverend Cornell would bring history to life like no other. He brought out the best in his students with captivating lectures that displayed his tremendous knowledge, experience, and wit. His impact will certainly be felt for years to come through the countless students he taught and mentored.

Reverend Cornell stands out as a towering figure in the history of northeast Wisconsin. His influence on education and public service has left a lasting mark on our State.

ADDITIONAL STATEMENTS

TRIBUTE TO CHUCK MACK

• Mrs. BOXER. Mr. President, I am pleased and honored to pay tribute to Chuck Mack for his many years of service to the International Brotherhood of Teamsters.

After 43 years of dedicated service, Mr. Mack is stepping down from his positions as secretary-treasurer for the International Brotherhood of Teamsters Local 70, and president of the Teamsters Joint Council 7. While Mr. Mack may be leaving his current leadership positions within the Teamsters, he is by no means retiring. Instead, he is heeding the call of the Western Conference of Teamsters Pension Trust, where he will now serve as the co-chair of the organization.

During his four-plus decades of service to the Teamsters, Mr. Mack has worked tirelessly to help negotiate first-class rights for bay area workers and their families. With a reputation for integrity and hard work, Mr. Mack has provided the Teamsters with unparalleled leadership in major labor disputes in northern California throughout his tenure. I particularly commend Mr. Mack for his efforts in advancing environmental justice issues for port communities throughout the San Francisco bay area.

As he transitions to his new position as cochair of the Western Conference of Teamsters Pension Trust, I applaud Mr. Mack's continued involvement with the Teamsters Union. Unions provide valuable representation to American workers and their families, and have worked to establish many of the rights and privileges that we now take for granted—rights and privileges that have helped millions of workers achieve the American dream.

After over four decades of service to the International Brotherhood of Teamsters, I remain in admiration of Chuck's strong sense of civic duty, his unparalleled service to the labor movement, and his tireless advocacy for workers' rights at the local, Sate, and national levels. I wish him many more years of continued community involvement and leadership.•

TRIBUTE TO C. BRENT DEVORE

• Mr. BROWN. Mr. President, today I honor the career of Dr. C. Brent DeVore, the dean of higher education presidents in central Ohio. For 25 years, Dr. DeVore has served Otterbein College, its students, and the Westerville, OH, community. He retires at the end of this academic year.

A son of Zanesville, OH, who earned degrees from Ohio University and Kent State University, Dr. Devore has dedicated his professional life to improving higher education for America's young people.

Dr. DeVore became president of Otterbein College in 1984. He helped develop the institution from a small, liberal arts college to a nationally ranked, comprehensive college. Dr. DeVore put Otterbein on stable financial footing, increasing the school's endowment by fifteenfold. He oversaw a transformation of the campus infrastructure, including the construction of new academic buildings, residence halls, athletic facilities, and an expansion of the library.

More importantly, Dr. DeVore helped transform the human capital of the college. The graduate education program was added in 1989, the graduate nursing program in 1993, and the MBA program in 1997. The number of faculty holding advanced degrees nearly doubled. Student diversity increased, enrollment doubled, retention rates soared, and the quality of incoming students skyrocketed.

Throughout Dr. DeVore's career, he has worked to develop innovative and comprehensive programs to encourage young people to engage in community and volunteer service and oversaw the creation of Otterbein's Center for Community Engagement. In 2007, Otterbein was one of only three schools across the country to receive the Presidential Award for General Community Service in the President's Higher Education Community Service Honor Roll.

While, Dr. DeVore's leadership at Otterbein will be missed, his legacy will remain for generations. Dr. DeVore has made Otterbein College better, he has made Ohio better, and he has made our Nation better. I wish him well and hope that his service to Ohio will continue in the next phase of his outstanding career.•

OHIO'S SMALL BUSINESS PERSON OF THE YEAR

• Mr. BROWN. Mr. President, today I commemorate the work of Carla Eng, president of Abstract Displays Incorporated, who has been named the Ohio

Small Business Person of the Year for 2009 by the U.S. Small Business Administration.

The award recognizes Ms. Eng's dedication to success, her passion for her work, and her positive attitude. She is among 53 top small business persons who will be honored at the Small Business Administration's National Small Business Week events. Ms. Eng's company is a premier designer and producer of dimensional solutions for trade show exhibits, events, environments and for all face-to-face sales, marketing, and corporate needs.

I commemorate the work of Carla Eng and congratulate her for receiving this prestigious award. She is a role model for success and an inspiration to us all. I hope you will join me in wishing Carla the best of luck in her future endeavors.●

CONGRATULATING THE GEORGETOWN/SCOTT COUNTY CHAMBER OF COMMERCE

● Mr. BUNNING. Mr. President, today I congratulate the Georgetown/Scott County Chamber of Commerce, a nonprofit business organization that recently celebrated its 50th anniversary.

The Georgetown/Scott County Chamber of Commerce was founded in 1959. The chamber promotes local businesses and ensures that jobs stay in the Georgetown and Scott County area. During this uncertain economic time, organizations such as the Georgetown/Scott County Chamber of Commerce strive to ensure that local businesses continue to prosper. The chamber celebrated this distinct milestone at its annual banquet on April 24, 2009, where current chamber president Christie Hockensmith expressed her optimism for the next 50 years.

Again, I congratulate the Georgetown/Scott County Chamber of Commerce on 50 years of service. I wish the chamber the best in the future and in continued support of local businesses.●

REMEMBERING M. ALLYN DINGEL, JR.

● Mr. CRAPO. Mr. President, today I would like to honor a fellow Idahoan who served the Idaho legislature, the Idaho, judiciary, the Episcopal Diocese of Idaho and the Idaho State Bar with honor, integrity, and good humor. M. Allyn Dingel, Jr., passed away at his home in Boise, ID, on April 23, 2009 after a courageous battle with lung cancer.

Allyn was born in Twin Falls, ID, where he played baseball and was the student body president at Twin Falls High. He attended college at the University of Idaho, and continued to organize spontaneous renditions of the Idaho Vandal fight song, whether asked to or not.

Allyn attended New York University Law School, where he was one of the top students and was a member of the NYU Law Review. Allyn worked for the Idaho Attorney General's Office for 3 years, and then spent more than 40 years in private practice. In his spare time, he served as Chancellor for the Episcopal Diocese of Idaho, providing extensive legal services pro bono.

Allyn was a trial lawyer, and the courtroom was his stage. His methods were not always conventional. He had his own vocabulary, and a way of communicating that was sometimes humorous, but always believable. Allyn was a lawyer's lawyer. He was a fellow of the prestigious American College of Trial Lawyers. He served as Idaho's representative to the Ninth Circuit Commission, and was Idaho's delegate to the American Bar Association House of Delegates. The Idaho State Bar honored him in 2004 when he was named its Distinguished Lawyer, and in 2008 the Idaho Judiciary named a courtroom in Boise after him.

Allyn was a lobbyist for both the insurance industry and the Idaho judiciary. He was especially effective as a lobbyist because he never forgot a political story or a point of Idaho trivia. As a lobbyist, he was generous with his humor and his story-telling. Shortly before his death, the Idaho legislature honored him with Senate Concurrent Resolution No. 111, which commended him for his lifetime service to the legislative branch of the State of Idaho.

But for all of Allyn Dingel's many accomplishments, he will be remembered most for his great compassion and his ability to find the good in people. It was said that he never forgot, but he always forgave. We can imagine him at the Pearly Gates telling St. Peter some long story about Idaho politics. We just hope those in line behind him were patient as he tried to teach St. Peter the words to the Vandal fight song.

I am honored to reflect on Allyn Dingel's wonderful, exemplary life, and pleased to call him my friend. He was an individual who made the most from the opportunities that presented themselves, and Idaho is better for that. My condolences go out to his family: his beloved wife Fran, his sons and their wives, Bryan and Valencia and Mike and Lori, and his six grandchildren. ●

REMEMBERING SAL GUARRIELLO

● Mrs. FEINSTEIN. Mr. President, I wish to honor the life of Sal Guarriello, a decorated veteran and an incredible public servant.

Mr. Guarriello was a beloved citizen of West Hollywood, serving for 19 years on its city council and for three terms as its mayor. During his nearly two decades on the council, he was a voice for the Russian, disabled, and LGBT communities, seniors, and veterans.

Mr. Guarriello received a Purple Heart when he was wounded while serving as an Army combat medic during World War II. For the rest of his life, he strove to honor and represent the needs of his fellow veterans. In 1998, he proposed that a veterans' memorial be built in West Hollywood to honor the sacrifices of all of America's veterans, and 5 years later his vision became reality.

Before joining the West Hollywood City Council, Mr. Guarriello worked to provide affordable housing as a member of the board of directors of the West Hollywood Community Housing Corporation and the West Hollywood Rent Stabilization Commission.

Mr. Guarriello also created the West Hollywood Children's Summer Olympics, initiated a successful anti-drunk driving campaign, and formed the Eastside Redevelopment Agency, which was instrumental in the successful negotiation of a plan to rehabilitate Santa Monica Boulevard.

Sal Guarriello will be remembered by his family, friends, and constituents as a patriot, a public servant, and an exceptional leader of the community.●

50TH ANNIVERSARY OF PLEASANT VALLEY SCHOOL

● Mr. LIEBERMAN. Mr. President, I wish today to honor Pleasant Valley Elementary School in South Windsor, CT. Pleasant Valley, or ''PV'' as it is affectionately referred to by many in South Windsor, will be celebrating its 50th anniversary this June. To mark this momentous occasion, I feel it is fitting to reflect back on all this school has done for its students and its community.

Pleasant Valley's motto is ''Pleasant Valley School, a place to learn, to grow, and to care,'' and many of the students, parents, and faculty that have been involved with the school would attest that it has more than succeeded in creating such an environment. For 50 years, Pleasant Valley has helped the children of South Windsor develop a love of learning and discovery while instilling in them the skills and work ethic needed to succeed in South Windsor's excellent secondary schools.

When Pleasant Valley first opened in September 1958, it taught grades one through eight. While it was tough managing a large group of kids with such large age differences, those who attended or worked at the school during this time fondly recall basketball games, spelling bees, school plays, dedicated teachers, and, of course, friendships that would last a lifetime. Eventually, Pleasant Valley would become responsible for teaching students in kindergarten up to the fifth grade, and would always remain a vibrant, innovative place of learning.

Over the years, Pleasant Valley's staff has consistently launched inspired new initiatives designed to connect with their students. In 1981, PV started the Read at Home Program, which was put together to encourage students to read on their own. The theme for the program's first year was ''footsteps to reading,'' which allowed students to post a paper foot on the school's walls for every book they read. By the end of the year, students had

managed to cover almost the entire school, including the principal's office. In 1989, the school established the Special Friends Program—the first in South Windsor—to provide a safe setting, counseling, and friendship to at-risk students and those students experiencing sudden changes in their lives.

In the 1990–1991 school year, Nancy Mason, the school nurse, and Priscilla Spencer, the school's gym teacher, introduced an inventive project designed to teach students about both geography and physical fitness. The students were told that the school's mascot—Popcorn the Panther—was going to take a walking trip across the United States in which he would travel a mile for every mile that each student walked or ran. For the rest of the year, students were required to walk or run at least half a mile during every recess period and were encouraged to walk more. Prizes were given to the class and grade that contributed the most miles to Popcorn's journey. Throughout the year, teachers would have friends and family members who lived around the country send postcards ''from Popcorn'' so that students could see the fruits of their efforts and learn about various regions of the country. This successful program concluded with a large welcome home ceremony at the end of the school year, with several students joining Popcorn, played ably by an older student, for his final walk back to school.

At a time when much of our focus is understandably on improving schools that are not living up to standards, it is important to take time out to recognize those schools that have consistently provided a quality education to their students and that are constantly striving to find new ways to inspire students to reach new heights. For 50 years, Pleasant Valley School of South Windsor, CT, has been one of these schools; providing students with the ideal setting in which to develop their abilities, meet friends, and cultivate new interests. It truly is a place to learn, to grow, and to care. I congratulate all of Pleasant Valley's students, alumni, faculty, parents, and volunteers on a remarkable 50 years and look forward to seeing how they tackle the challenges of the future. Their dedication is truly an inspiration and should serve as an example to us all.●

REMEMBERING CAPTAIN WENDELL B. RIVERS

● Mr. NELSON of Nebraska. Mr. President, today I wish to honor Navy CAPT Wendell B. Rivers, who passed away on Saturday, May 9, 2009.

Wendell ''Wendy'' Rivers was born in Seward, NE, on July 6, 1928. He graduated from Seward High School in 1946, where he was senior class president, an all-conference football and basketball player, and an 880-yard track specialist. Upon graduation, Rivers enlisted in the U.S. Navy, receiving an appointment to the U.S. Naval Academy in 1948 and graduating in 1952, when he received his commission as an Ensign in the U.S. Navy. Following a brief tour on a destroyer during the Korean conflict, he entered flight training in 1953, receiving his wings in March 1954.

Over the course of his career, Captain Rivers distinguished himself in many assignments as a naval aviator, missile project officer, flight deck officer, and squadron operations officer. Subsequent assignments were in naval aviation on the west coast at San Diego, Moffett Field, Monterey, Point Mugu, and Lemoore. During the Vietnam conflict, Captain Rivers deployed on his last cruise from Alameda, CA, aboard the USS Coral Sea, as a member of Air Wing 15, Attack Squadron 155. On February 11, 1965, he flew the first of 96 combat missions over North Vietnam. Tragically, on his 96th mission, he was shot down and captured at Vinh, North Vietnam, where he was then held in captivity for 7½ years.

While a prisoner of war, POW, Captain Rivers kept his faith in God, country, and Navy, despite all the hardships facing him and his fellow POWs. His steadfastness and devotion to others was an inspiration to those fellow POWs. In fact, shortly after he was freed, as the guest of honor at a celebration of America's independence in Nebraska's Fourth of July capital city, which was also coincidentally his hometown of Seward, Captain Rivers expressed that deep down he and his fellow POWs were always convinced they would one day come home.

After the tremendous sacrifice he had already endured, Captain Rivers continued to serve the Navy until 1976. The end of his career included serving as the head of the Aircraft Survivability and Vulnerability Branch of the Naval Air Systems Command, for which VADM F.S. Petersen said, ''It was through Captain Rivers' personal forethought and initiative that this important aspect of Naval Aviation came to fruition.''

CAPT Wendell B. Rivers passed away in his home on May 9, 2009, at the age of 80. Over the course of his career, Captain Rivers received numerous commendations, decorations, and medals, including the Silver Star, Legion of Merit with Star, Bronze Star, Distinguished Flying Cross, Vietnam Service Medal with three Silver Stars, Navy Occupation Medal, World War II Victory Medal, China Service Medal, United Nations Service Medal, and Korean Presidential Unit Citation. These awards reflect Captain Rivers' bravery and selfless service toward the security of our great country. The life and service of individuals such as Captain Rivers represents an example of patriotism we should all strive to emulate. I join all Nebraskans in mourning the loss of Captain Rivers and offer my deepest condolences to his family.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:41 a.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, in which it requests the concurrence of the Senate:

H.R. 2162. An act to designate the facility of the United States Postal Service located at 123 11th Avenue South in Nampa, Idaho, as the ''Herbert A Littleton Postal Station''.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 84. Concurrent resolution supporting the goals and objectives of a National Military Appreciation Month.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 454. An act to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

The message also announced that the House insists upon its amendment to the bill (S. 454) to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House: Messrs. SKELTON, SPRAT, ORTIZ, TAYLOR, ABERCROMBIE, REYES, SNYDER, SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mr. MCINTYRE, Mrs. TAUSCHER, Messrs. BRADY of Pennsylvania, ANDREWS, Mrs. DAVIS of California, Messrs. LANGEVIN, COOPER, ELLSWORTH, SESTAK, MCHUGH, BARTLETT, MCKEON, THORNBERRY, JONES, AKIN, FORBES, MILLER of Florida, WILSON of South Carolina, CONAWAY, HUNTER, and COFFMAN of Colorado.

The message further announced that pursuant to 20 U.S.C. 4412, and the order of the House of January 6, 2009, the Speaker appoints the following Member of the House of Representatives to the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development: Mr. LUJÁN of New Mexico.

At 4:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2346. An act making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2162. An act to designate the facility of the United States Postal Service located at 123 11th Avenue South in Nampa, Idaho, as the ''Herbert A Littleton Postal Station''; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 84. Concurrent resolution supporting the goals and objectives of a National Military Appreciation Month; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2346. An act making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1606. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Calcium Lactate Pentahydrate; Exemption from the Requirement of a Tolerance'' (FRL-8412-5) received in the Office of the President of the Senate on May 11, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1607. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Candida oleophila Strain O; Exemption from the Requirement of a Tolerance'' (FRL-8412-9) received in the Office of the President of the Senate on May 11, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1608. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methoxyfenozide; Pesticide Tolerances for Emergency Exemptions'' (FRL-8410-3) received in the Office of the President of the Senate on May 11, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1609. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General John F. Regni, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1610. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Defense Advanced Research Projects Agency (DARPA), Strategic Plan, May 2009''; to the Committee on Armed Services.

EC–1611. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1612. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank's 2008 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC–1613. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the construction of a Mixed Oxide Fuel Fabrication Facility near Aiken, South Carolina; to the Committee on Energy and Natural Resources.

EC–1614. A communication from the Acting Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' ((PA-148-FOR)(Docket No. OSM-2008-0014)) received in the Office of the President of the Senate on May 6, 2009; to the Committee on Energy and Natural Resources.

EC–1615. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Texas; Final Authorization of State Hazardous Waste Management Program Revision'' (FRL-8901-1) received in the Office of the President of the Senate on May 11, 2009; to the Committee on Environment and Public Works.

EC–1616. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Approval of Revisions to the Knox County Portion'' (FRL-8903-6) received in the Office of the President of the Senate on May 11, 2009; to the Committee on Environment and Public Works.

EC–1617. 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 ''Modification of Net Operating Loss Carryback Election Under 1211 of American Recovery and Reinvestment Tax'' (Rev. Proc. 2009-26) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Finance.

EC–1618. 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 ''Sub-Issue Letter Rulings Under Section 355'' (Rev. Proc. 2009-25) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Finance.

EC–1619. 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 ''Extension of Date for Multiemployer Plans to Elect Relief under Sections 204 and 205 of WRERA'' (Notice 2009-42) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Finance.

EC–1620. 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 ''Revenue Procedure: United States and Area Median Gross Income Figures'' (Rev. Proc. 2009-27) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Finance.

EC–1621. 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 ''Guidance to Policyholders Who Surrender or Sell Their Life Insurance Contracts'' (Rev. Proc. 2009-13) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Finance.

EC–1622. 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 ''Guidance to Investors Who Purchase Life Insurance Contracts'' (Rev. Proc. 2009-14) received in the Office of the President of the Senate on May 13, 2009; to the Committee on Finance.

EC–1623. 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 ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2009-45) received in the Office of the President of the Senate on May 13, 2009; to the Committee on Finance.

EC–1624. 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 ''Amortization and Reporting of Mortgage Insurance Premiums'' (RIN1545-BH84) received in the Office of the President of the Senate on May 13, 2009; to the Committee on Finance.

EC–1625. 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 ''Use of Actuarial Tables in Valuing Annuities, Interests for Life or Terms of Years, and Remainder or Reversionary Interests'' (RIN1545-BH96; RIN1545-BI56)(TD 9448) received in the Office of the President of the Senate on May 13, 2009; to the Committee on Finance.

EC–1626. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of $100,000,000 or more with the United Kingdom; to the Committee on Foreign Relations.

EC–1627. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, two reports relative to national healthcare quality; to the Committee on Health, Education, Labor, and Pensions.

EC–1628. A communication from the Members of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Congressional Justification of Budget Estimates for Fiscal Year 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–1629. A communication from the Director, Human Resources Management Office, Federal Trade Commission, transmitting, pursuant to law, a report relative to the implementation of an alternative rating and selection procedure; to the Committee on Homeland Security and Governmental Affairs.

EC–1630. A communication from the Chairman, Federal Accounting Standards Advisory Board, transmitting, pursuant to law, a report entitled ''Estimating the Historical Cost of General Property, Plant, and Equipment: Amending Statements of Federal Financial Accounting Standards 6 and 23''; to

the Committee on Homeland Security and Governmental Affairs.

EC–1631. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled ''Annual Report on the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002: Fiscal 2008 (April 2009)''; to the Committee on Homeland Security and Governmental Affairs.

EC–1632. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period ending March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1633. A communication from the Director of Regulations Management, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Headstones and Markers'' (RIN2900-AN29) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Veterans' Affairs.

EC–1634. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Presumptive Service Connection for Disease Associated with Exposure to Certain Herbicide Agents: AL Amyloidosis'' (RIN2900–AN01) received in the Office of the President of the Senate on May 5, 2009; to the Committee on Veterans' Affairs.

EC–1635. A communication from the Director of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Expansion of Enrollment in the VA Health Care System'' (RIN2900–AN23) received in the Office of the President of the Senate on May 13, 2009; to the Committee on Veterans' Affairs.

EC–1636. A communication from the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Insurance Trust Funds, transmitting, pursuant to law, the Boards' 2009 Annual Report and the 2009 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Appropriations, without amendment:

S. 1054. An original bill making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes (Rept . No. 111–20).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Robert O. Work, of Virginia, to be Under Secretary of the Navy.

*Raymond Edwin Mabus, Jr., of Mississippi, to be Secretary of the Navy.

*Thomas R. Lamont, of Illinois, to be an Assistant Secretary of the Army.

*Paul N. Stockton, of California, to be an Assistant Secretary of Defense.

*Andrew Charles Weber, of Virginia, to be Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.

*Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Air Force.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for Mr. ROCKEFELLER (for himself and Mr. LAUTENBERG)):

S. 1036. A bill to amend title 49, United States Code, to establish national purposes and goals for Federal surface transportation activities and programs and create a national surface transportation plan; to the Committee on Commerce, Science, and Transportation.

By Ms. LANDRIEU:

S. 1037. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. SCHUMER, Mr. KENNEDY, Mr. KOHL, Mrs. BOXER, Mr. DODD, Mr. LIEBERMAN, Mr. BINGAMAN, Mr. FEINGOLD, Mrs. MURRAY, Mr. KERRY, Mr. NELSON of Florida, Mr. KAUFMAN, Mr. CASEY, Ms. CANTWELL, and Mr. LEVIN):

S. 1038. A bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY (for himself, Mr. KENNEDY, Mrs. GILLIBRAND, and Mr. BAYH):

S. 1039. A bill to provide grants for the renovation, modernization or construction of law enforcement facilities; to the Committee on the Judiciary.

By Mrs. HUTCHISON (for herself and Ms. STABENOW):

S. 1040. A bill to establish a demonstration program requiring the utilization of Value-Based Insurance Design in order to demonstrate that reducing the copayments or coinsurance charged Medicare beneficiaries for selected medications can increase adherence to prescribed medication, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 1041. A bill to amend the Oil Pollution Act of 1990 to modify the applicability of certain requirements to double hulled tankers transporting oil in bulk in Prince William Sound, Alaska; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL (for himself and Mrs. MCCASKILL):

S. 1042. A bill to prohibit the use of funds to promote the direct deposit of Veterans and Social Security benefits until adequate safeguards are established to prevent the attachment and garnishment of such benefits; to the Committee on Finance.

By Mr. GRAHAM:

S. 1043. A bill to require the United States Trade Representative to negotiate a remedy for the equitable border tax treatment on goods and services within the WTO by January 1, 2010, and for other purposes; to the Committee on Finance.

By Mr. THUNE:

S. 1044. A bill to preserve the ability of the United States to project power globally; to the Committee on Armed Services.

By Mrs. LINCOLN:

S. 1045. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for the costs of providing technical training for employees; to the Committee on Finance.

By Mrs. LINCOLN:

S. 1046. A bill to amend the Internal Revenue Code of 1986 to extend the excise tax provisions and income tax credit for biodiesel; to the Committee on Finance.

By Mr. MENENDEZ:

S. 1047. A bill to promote Internet safety education and cybercrime prevention initiatives, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. KENNEDY, Mrs. GILLIBRAND, and Mr. REED):

S. 1048. A bill to amend the Federal Food, Drug, and Cosmetic Act to extend the food labeling requirements of the Nutrition Labeling and Education Act of 1990 to enable customers to make informed choices about the nutritional content of standard menu items in large chain restaurants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself and Mr. SCHUMER):

S. 1049. A bill to authorize the Secretary of Homeland Security to waive certain provisions of the pre-September 11, 2001, fire grant program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. KOHL, and Mr. LEVIN)):

S. 1050. A bill to amend title XXVII of the Public Health Service Act to establish Federal standards for health insurance forms, quality, fair marketing, and honesty in out-of-network coverage in the group and individual health insurance markets, to improve transparency and accountability in those markets, and to establish a Federal Office of Health Insurance Oversight to monitor performance in those markets, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 1051. A bill to establish the Centennial Historic District in the Commonwealth of Pennsylvania; to the Committee on Energy and Natural Resources.

By Mr. CONRAD (for himself and Ms. COLLINS):

S. 1052. A bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI:

S. 1053. A bill to amend the National Law Enforcement Museum Act to extend the termination date; to the Committee on Energy and Natural Resources.

By Mr. INOUYE:

S. 1054. An original bill making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. BOXER (for herself, Mr. INOUYE, Mr. AKAKA, and Mrs. FEINSTEIN):

S. 1055. A bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VOINOVICH (for himself, Mr. LIEBERMAN, and Mr. ISAKSON):

S. 1056. A bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and ensure a sound fiscal future for the United States, and for other purposes; to the Committee on the Budget.

By Mr. TESTER (for himself, Mr. WICKER, Mr. CARDIN, and Mr. BROWN):

S. 1057. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself, Mr. BENNET, Mr. BOND, Mr. CHAMBLISS, Mr. CRAPO, Mr. TESTER, and Mr. VITTER):

S. 1058. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes; to the Committee on Finance.

By Mr. DEMINT:

S.J. Res. 16. A joint resolution proposing an amendment to the Constitution of the United States relative to parental rights; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MARTINEZ (for himself, Mr. MENENDEZ, Mr. GRAHAM, Mr. ENSIGN, Mr. NELSON of Florida, Mr. VOINOVICH, and Mr. LUGAR):

S. Res. 149. A resolution expressing solidarity with the writers, journalists, and librarians of Cuba on World Press Freedom Day and calling for the immediate release of citizens of Cuba imprisoned for exercising rights associated with freedom of the press; considered and agreed to.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 150. A resolution commemorating and celebrating the lives of Officer Kristine Marie Fairbanks, Deputy Anne Marie Jackson, and Sergeant Nelson Kai Ng who gave their lives in the service of the people of Washington State in 2008; considered and agreed to.

By Mr. BUNNING (for himself, Mr. ALEXANDER, Ms. MURKOWSKI, Mr. BINGAMAN, Mr. UDALL of Colorado, Mr. KENNEDY, Mr. VOINOVICH, Mr. REID, Mr. CORKER, Mr. GRASSLEY, Mrs. MURRAY, and Mr. MCCONNELL):

S. Res. 151. A resolution designates a national day of remembrances on October 30, 2009, for nuclear weapons program workers; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 254

At the request of Mrs. LINCOLN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 254, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 476

At the request of Mrs. BOXER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 476, a bill to amend title 10, United States Code, to reduce the minimum distance of travel necessary for reimbursement of covered beneficiaries of the military health care system for travel for specialty health care.

S. 484

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. BURRIS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 511

At the request of Mr. TESTER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 511, a bill to amend part B of title XVIII of the Social Security Act to provide for an exemption of pharmacies and pharmacists from certain Medicare accreditation requirements in the same manner as such exemption applies to certain professionals.

S. 529

At the request of Mr. LIEBERMAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 529, a bill to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of countries 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.

S. 535

At the request of Mr. SESSIONS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 546

At the request of Mr. REID, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 611

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. BURRIS) 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 name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 614, a bill to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

S. 645

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Mrs. MURRAY) 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. 653

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 693

At the request of Mr. HARKIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 693, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine.

S. 733

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 733, a bill to ensure the continued and future availability of life saving trauma health care in the United States and to prevent further trauma center closures and downgrades by assisting trauma centers with uncompensated care costs, core mission services, and emergency needs.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 751

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 751, a bill to establish a revenue source for fair elections financing of Senate campaigns by providing an excise tax on amounts paid pursuant to contracts with the United States Government.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Connecticut

(Mr. DODD) was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 769

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor 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. 775

At the request of Mr. VOINOVICH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 775, a bill to amend title 10, United States Code, to authorize the availability of appropriated funds for international partnership contact activities conducted by the National Guard, and for other purposes.

S. 823

At the request of Ms. SNOWE, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 823, a bill to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of operating losses, and for other purposes.

S. 908

At the request of Mr. BAYH, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 908, a bill to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

S. 938

At the request of Ms. LANDRIEU, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 938, a bill to require the President to call a White House Conference on Children and Youth in 2010.

S. 943

At the request of Mr. THUNE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 943, a bill to amend the Clean Air Act to permit the Administrator of the Environmental Protection Agency to waive the lifecycle greenhouse gas emission reduction requirements for renewable fuel production, and for other purposes.

S. 950

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 950, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat Medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 957

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 957, a bill to amend the Public Health Service Act to ensure that victims of public health emergencies have meaningful and immediate access to medically necessary health care services.

S. 973

At the request of Mr. NELSON of Florida, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 973, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 979

At the request of Mr. DURBIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 979, a bill to amend the Public Health Service Act to establish a nationwide health insurance purchasing pool for small businesses and the self-employed that would offer a choice of private health plans and make health coverage more affordable, predictable, and accessible.

S. 1012

At the request of Mr. ROCKEFELLER, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1012, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

S. 1023

At the request of Mr. DORGAN, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Florida (Mr. NELSON) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1023, a bill to establish a non-profit corporation to communicate United States entry policies and otherwise promote leisure, business, and scholarly travel to the United States.

S. 1026

At the request of Mr. CORNYN, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1026, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed service voters, and for other purposes.

S. 1027

At the request of Ms. STABENOW, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 1027, a bill to amend title VII of the Tariff Act of 1930 to clarify that fundamental exchange-rate misalignment by any foreign nation is actionable under United States countervailing and antidumping duty laws, and for other purposes.

S.J. RES. 15

At the request of Mr. VITTER, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S.J. Res. 15, a joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

AMENDMENT NO. 1058

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of amendment No. 1058 proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1059

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 1059 intended to be proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1060

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 1060 intended to be proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1079

At the request of Ms. LANDRIEU, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from Maine (Ms. COLLINS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 1079 proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1091

At the request of Mr. CARDIN, the names of the Senator from Nebraska (Mr. JOHANNS) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 1091 intended to be proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1095

At the request of Mr. LEVIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of amendment No. 1095 intended to be proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1096

At the request of Mr. LEVIN, the name of the Senator from Missouri

(Mrs. MCCASKILL) was added as a cosponsor of amendment No. 1096 intended to be proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1099

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of amendment No. 1099 intended to be proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1106

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 1106 intended to be proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

AMENDMENT NO. 1107

At the request of Ms. COLLINS, the names of the Senator from Arizona (Mr. KYL) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of amendment No. 1107 proposed to H.R. 627, a bill to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. SCHUMER, Mr. KENNEDY, Mr. KOHL, Mrs. BOXER, Mr. DODD, Mr. LIEBERMAN, Mr. BINGAMAN, Mr. FEINGOLD, Mrs. MURRAY, Mr. KERRY, Mr. NELSON, of Florida, Mr. KAUFMAN, Mr. CASEY, Ms. CANTWELL, and Mr. LEVIN):

S. 1038. A bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I believe it is fair to say that there is a farm emergency in this country. Some of it is caused by drought, including out West where California has had, for 3 years, a very serious drought. But most of it is caused by the absence of farm labor—labor to help plant, prune, and harvest.

Many of us have listened to farm bureaus throughout the country, spoken with farmers who are losing land, fallowing land, and leasing land abroad. I think the time has come to do something about it.

Today, with 16 cosponsors, I am introducing an agricultural worker bill known as AgJOBS. This bill is cosponsored by Senators LEAHY, SCHUMER, KENNEDY, KOHL, BOXER, DODD, LIEBERMAN, BINGAMAN, FEINGOLD, MURRAY, KERRY, BILL NELSON, KAUFMAN, CASEY, Cantwell, and Levin. It would provide farmers with the stable, legal workforce they deserve by reforming the broken H–2A seasonal worker program and offering a pathway to citizenship for hard-working, law-abiding immigrants already employed or who have been employed on American farms.

This bill is supported by more than 200 agricultural coalition and immigration reform groups throughout the Nation.

Since I last came to the floor to talk about a solution to this crisis, it has only grown. The bill is necessary, and I believe Congress must act now to save America's agriculture industry.

Today across the United States, there are not enough agricultural workers to do the pruning, picking, packing, and harvesting of our country's crops. With an inadequate supply of workers, farmers from Maine to California, from Washington State to Georgia, have watched their produce rot in fields, and have been forced to fallow close to half a million acres of land, and billions of dollars are being drained out of our economy as a result.

Farmers are downsizing their operations. Many are buying or leasing land in Mexico. Others are going out of business. Quite clearly, the labor situation facing the American farmer is an emergency.

So some ask: Why don't American farmers hire Americans to do their work? The unemployment rate is high. People are looking for jobs. So why don't they hire Americans?

The fact is, they have tried and tried and tried. But there are very few Americans who are willing to take the job in a hot field, doing backbreaking labor, in temperatures that often exceed 100 degrees. That is a fact.

The other fact is that immigrant workers are the backbone of America's agricultural industry—a huge industry and a proud industry, which is now dying due to the lack of steady labor supply.

Farmers are departing the country in order to stay in business, leaving devastated farm communities behind. In California, in the Great Central Valley, farmers who once tended ''America's breadbasket'' are now standing in bread lines, with unemployment rates in their communities that are as high as 45 percent. Topsoil from fallowed land turning into dust now blows up in sandstorms and has caused periodic shutdowns of Interstate 5, the State's main north-south freeway.

As a result of Congress's inaction, between 2007 and 2008—1 year—1.56 million acres of farmland, once rich with crops, are now dormant. That is 1.5 million acres dormant in a year. In California alone, in the past 5 years, that amount—1.5 million acres—of production has been lost.

American farmers have moved at least 84,155 acres of production to Mexico. This is what we know of: Over 84,000 acres of farm production now in Mexico. This has resulted in the growth of farm labor jobs in Mexico; namely, 22,285 jobs to cultivate crops that vary in diversity from avocados to green onions to watermelons.

This shortage of workers is devastating American agriculture, and we need to wake up and understand what is happening. In the next 1 to 2 years, the United States stands to lose $5 billion to $9 billion in agricultural sales to foreign competition if Congress does not act to provide a workforce for the American farming community.

California has already lost almost $1 billion from 2005 to 2006. It is estimated we will lose between $1.7 and $3.1 billion in the next year. The California farm industry—the largest in America—was almost a $40 billion-a-year industry. It is deteriorating every year.

We are witnessing nothing less than the slow vanishing of American agriculture.

Ayron Moiola, the executive director of the Imperial Valley Vegetable Growers Association, predicts that California's asparagus crops will disappear completely in the Imperial Valley if their demand for specialized asparagus planters and harvesters is not met.

Colorado farmers have estimated their State's fruit and vegetable industry will disappear completely in the next 5 to 10 years without some program to provide a sustainable workforce.

As of February 2008, 35 to 45 New Hampshire farm operations have been at risk of going out of business or being forced to severely cut back operations due to labor shortages.

This reduction in farm production would result in an estimated loss of 22,000 acres of farmland and $58 million of agricultural production for New Hampshire alone. In addition, over 600 full-time farm jobs and 4,300 jobs in agriculture-related businesses could be in jeopardy.

I say to the Presiding Officer, I hear this from your apple growers in New York, and I hear it from the dairy industry throughout America.

The situation is dire from coast to coast, and urgent action is required to halt these trends. I do not think we can afford to lose our entire agricultural industry because this has always been a central and sustainable part of our national economy. Our food is clean; there are strong pesticide controls in this country. I think most of us believe we would much prefer to buy American produce than foreign produce. Yet we may not have that opportunity.

When farmers suffer, there is a ripple effect felt throughout the economy: in farm equipment manufacturing, packaging, processing, transportation, marketing, lending, and insurance. Jobs are being lost, and our economy is going to decline further as a result. Low-producing farms mean a lowered

local tax base—as farms no longer generate income and create jobs.

As can be seen from this graphic I have in the Chamber, for every job lost on a farm and ranch, the country loses approximately three jobs in related sectors that are supported by having the agricultural community in this country.

I have received a letter from the Port of Oakland, which depends heavily on agribusiness for its survival. According to the port, last year more than 750 metric tons of agricultural products, worth approximately $2.6 billion, were shipped through the port, representing 40 percent of the port's exports.

As these farms disappear, port jobs, basic jobs for people, also disappear. The central issue is not immigration; it is the bottom line of the American economy. I think Congress should be doing everything we can to prevent U.S. farms from closing down.

There is a solution, and it is this bill. This bill is well known, and this bill has been well supported in the past with a majority of votes. It is bipartisan. We can take it up and pass it today, and that would immediately help American farmers bolster the U.S. economy at a critical time.

The AgJOBS bill has two parts. The first meets the immediate needs of our farmers by creating a program that would provide an opportunity for experienced agricultural workers to earn the right to apply for legal status in this country.

The second part meets the long-term needs of farmers by reforming the H–2A program—that is the temporary worker program for the farm industry—so that if new workers are needed, farmers and growers have a legal path to bring workers in to harvest their crops.

The first step of the program requires that undocumented agricultural workers apply for a blue card if they can demonstrate they have worked in American agriculture in the United States for at least 150 workdays within the previous 2 years before December 31, 2008.

The second step requires that a blue cardholder work in the U.S. agricultural industry for an additional 150 workdays per year for at least 3 years, or 100 workdays per year for 5 years.

At the end of this time, a worker can obtain a green card and can continue to work in agriculture.

Workers participating in the program will be required to pay a fine of $500, show that they are current on their taxes, and that they have not been convicted of any crime that involves bodily injury, the threat of bodily injury or harm to property.

Employment is verified through employer-issued itemized statements, pay stubs, W–2 forms, employer letters, contracts or agreements, employer-sponsored health care, timecards or payment of taxes.

At the end of 5 years, those workers will be able to gain citizenship in this country.

The blue card visa program will be capped at 1.35 million blue cards over 5 years and sunsets after 5 years.

All blue cards will have encrypted, biometric identifiers, and contain other anticounterfeiting protections. This provides, in effect, a biometric identifier for 1.35 million people who are undocumented but in the country today.

AgJOBS would also streamline the current guest worker program, known as the H–2A program, which is currently unwieldy and ineffective.

Among other things, the bill will shorten the labor certification process, which now often takes 60 days, reducing the approval process to between 48 to 72 hours.

Advertising and positive recruitment for U.S. workers in the local labor market is required by filing a job notification with the local office of the State employment security agency.

Petitions for admission of H–2A workers must be processed and the consulate or port of entry notified within 7 days of receipt.

The adverse effect wage rate would be frozen for 3 years, to be gradually replaced with a prevailing wage standard.

H–2A visas will be secure and counterfeit resistant.

The reforms to the H–2A agricultural worker program are especially important to meet the needs of year-round agricultural industries, such as dairy, which are not covered by the seasonal program.

Many say that dairy should use the seasonal H–2A program—but it does not work for that industry. They need workers 24/7, 365 days a year.

The National Milk Producers recently shared with me an economic study done by researchers at Texas A&M that will be released next week on the economic impacts of immigration on U.S. dairy farms. Over 5,000 dairy farms, surveyed nationally, with responses from 47 States, are in this study. Of these, 50 percent use immigrant labor. Immigrant labor now accounts for 62 percent of milk production in 47 States.

As can be seen from this chart I have in the Chamber, eliminating immigrant labor would reduce the U.S. dairy herd by 1.34 million, milk production by 29.5 billion pounds, and the number of farms by 4,532. Retail milk prices would increase by an estimated 61 percent.

This will be the result if we do not recognize what is a basic reality that farm and dairy communities depend on undocumented workers, who are the only workers who will do this kind of work.

This is hard for people to believe. However, a while back, we posted notices in the welfare departments of all 58 california counties that said: Agricultural worker jobs available. Please sign up here.

However, do you know how many workers came from this? Not a single one.

When I drive down the highway, down to Monterey, along the coast, and I go through the great Salinas Valley, I watch the row crops either being planted or sprayed or harvested. You see the workers in the field stooped over, hour after hour, in the sun, when it is 100 degrees or more in temperature, and you can see the specific nature of this type of work.

People think of this work as unskilled labor, but it is not. It is a learned skill. These workers have to move fast and be trained to use the farm equipment. They know how to work skillfully with their hands and move row after row, after row, down the field.

Last summer, a young pregnant woman working in the field collapsed from heat exhaustion and was taken to the hospital, where she died. Working in the field is back breaking, difficult work, and there are very few Americans who are willing to do this work.

The backbone of the agriculture industry in my State is the undocumented workforce and it is time to recognize that reality. I can't have—and Mr. President, you can't have—farmers standing in bread lines because they can't get the labor to plant or harvest their crops. The fields across America are increasingly being fallowed and this does not make sense.

Congress must stand tall and acknowledge that the basic workforce in the American agricultural community is undocumented farm labor. Undocumented workers take these jobs because they are professional and proud of the work that they do. I believe that is desirable.

This bill has previously passed with more than a majority in comprehensive immigration reform. It recognizes that the American farm industry is in crisis; that the industry is deteriorating; and that America is losing its produce. This bill stands up for American farmers and provides them with the workforce they deserve—American farmers like Toni Scully, a pear farmer from Lake County, CA.

Toni Scully experienced a devastating harvest that left much of her pear crop rotting on the ground because she could not find workers in time for the harvest.

Early last year, I heard from Dewey Zabka, an onion and potato farmer in northern Colorado who, for the first time in his company's 50-year history, had to downsize 25 percent of his production.

In the State of New York, 800 farms and $700 million in sales may be forced to go out of business or scale back their farm operations if labor shortages continue. For the first time since 1991, Jim Bittner, the owner of Singer Farms in Appleton, NY, razed 10 percent of his sweet cherry and peach orchards last year because he could not get farm labor.

For the 2009 season, California growers who anticipate a shortage of reliable labor are deciding to move away

from planting permanent tree crops, including peach, plumb, nectarine, almond, pomegranate, and olive trees. Many of these farmers are supplementing these crops with pistachios, which can be harvested mechanically.

In June 2008, The Oregonian reported that Oregon's pear and onion industries are at risk of not being able to sustain production without consistent labor.

In Yuma County, AZ, where agricultural workers earn between $10 and $19 per hour, U.S. lettuce producers were unable to find enough laborers to harvest the spring crop of lettuce for 2008.

The truth is Americans will not do the work that sustains agriculture. It is hard, stooped labor requiring long and unpredictable hours. As a result, the labor shortage will be persistent. It is not going to get better next year, unless we have the courage and the guts to stand up for a major industry in America which deserves a steady labor base, particularly during these difficult economic times. And there are examples all over the nation that Americans simply won't fill these jobs.

H. Lee Showalter, a member of the Pennsylvania Apple Marketing Board, points to the example of the largest Macintosh apple producer in New York, who is required to advertise for local labor before joining a migrant labor program. Of the 300 workers he needed to fill, only 1 American worker applied.

Willoway Nurseries, Inc. has been in business in northern Ohio since 1954. Willoway Nurseries has attempted to recruit local workers, though to no avail. General nursery workers on this farm earn a starting wage of $9.93 per hour. Yet it has been impossible for the nursery to recruit American help.

The Washington Farm Bureau reported that nearly 500 tons of apples were not picked in Washington State's apple harvests last year due to picker shortages. As Valoria H. Loveland, director of the Washington State Department of Agriculture, stated in a letter to me:

> The reality of our local labor market [is that] local people who want to work are already employed, or are not interested in doing the seasonal and physically demanding work that characterizes our specialty crop production.

Experts estimate that nearly 80 percent of Florida's approximately 150,000 agricultural workers are undocumented immigrants. This is a $1.6 billion a year business that produces up to 90 percent of the fresh domestic tomatoes that Americans eat between the months of December and May.

Many farmers have been in business for generations. Many farm the land that their parents and their grandparents farmed before them. California farms produce approximately 350 different crops: pears, walnuts, raisins, lettuce, onions, strawberries, and apricots, just to name a few. Without reform, we will continue to see the deterioration of American farms nationwide. This includes the possibility that certain vegetables and fruits will no longer grow in our Nation, where we have stricter rules and regulations for safety.

Once the trees are gone, they are replaced by crops that do not require manual labor. As a result, our pears, our apples, our oranges will be increasingly coming from foreign sources. This is not what America wants, but it is what Congress's inaction compels.

The trend is quite clear. If there is not a means to grow and harvest our produce in this country, we will import produce from China, from Mexico, and from other countries that have sufficient labor. If our farmers want to stay in business, they will continue to go to Mexico and lease land and grow crops there. We are not doing our duty if we let this continue.

Steve Scaroni has been in the California lettuce and broccoli industry for over three decades. In recent years he has moved 2,000 acres and 500 jobs from his $50 million operation in Heber, CA, to Guanajuato, Mexico. Steve wants his business to survive, and he can't hire or plant. If he can't plant, he can't pick. If he can't pick, he can't pack, and he won't be able to deliver a harvest. As a result, today Steve exports to the United States about 2 million pounds of lettuce a week. He has spent thousands of dollars to start up the new farms and to train workers to ensure that his crops meet U.S. food safety standards.

In Wilcox, AZ, Eurofresh Farms has transferred tomato crops and 150 workers to Sonora, Mexico, where tomatoes are grown and shipped to the U.S. on a daily basis.

Reforming the system means that we not only protect the agricultural industry, but also the health of this Nation. This past July, the Food and Drug Administration confirmed that a variety of jalapeno and serrano peppers grown in Mexico caused an outbreak of salmonella in the United States. This outbreak was first thought to have originated in tomatoes.

The repercussions of the outbreak were felt on farms from coast to coast. In Georgia alone, it is estimated that the tomato scare cost local farmers about $14 million in total production value. Nationwide, the tomato industry lost at least $100 million due to lower prices and reduced demand. At the same time, over the last 15 years, imports of tomatoes have increased 179 percent. Right now, almost 40 percent of the tomatoes that we eat are grown in a foreign country. Yet tomato farmers are being forced to close shop.

The agriculture industry has been seeking a resolution for the labor crisis for the past 10 years. Mr. President, I have received over 50 letters of support for AgJOBS.

I am committed to working with the Obama administration, and Senators LEAHY, SCHUMER, and KENNEDY, as well as the House champions, Representatives BERMAN and PUTNAM, and others, to support U.S. farmers and the workers who provide the skilled labor needed to plant, tend and harvest our crops.

The time is now, and the solution is before us. I urge my colleagues to join me in support of AgJOBS and help restore America's farms before it is too late.

Mr. President, I ask unanimous consent that the text of the bill, letters of support, and list of supporters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1038

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 ''Agricultural Job Opportunities, Benefits, and Security Act of 2009'' or the ''AgJOBS 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. Definitions.

TITLE I—PILOT PROGRAM FOR EARNED STATUS ADJUSTMENT OF AGRICULTURAL WORKERS

Subtitle A—Blue Card Status

Sec. 101. Requirements for blue card status.
Sec. 102. Treatment of aliens granted blue card status.
Sec. 103. Adjustment to permanent residence.
Sec. 104. Applications.
Sec. 105. Waiver of numerical limitations and certain grounds for inadmissibility.
Sec. 106. Administrative and judicial review.
Sec. 107. Use of information.
Sec. 108. Regulations, effective date, authorization of appropriations.

Subtitle B—Correction of Social Security Records

Sec. 111. Correction of Social Security records.

TITLE II—REFORM OF H–2A WORKER PROGRAM

Sec. 201. Amendments to the Immigration and Nationality Act.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Determination and use of user fees.
Sec. 302. Regulations.
Sec. 303. Reports to Congress.
Sec. 304. Effective date.

SEC. 2. DEFINITIONS.

In this Act:

(1) AGRICULTURAL EMPLOYMENT.—The term ''agricultural employment'' means any service or activity that is considered to be agricultural under section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)) or agricultural labor under section 3121(g) of the Internal Revenue Code of 1986 or the performance of agricultural labor or services described in section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)).

(2) BLUE CARD STATUS.—The term ''blue card status'' means the status of an alien who has been lawfully admitted into the United States for temporary residence under section 101(a).

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) EMPLOYER.—The term ''employer'' means any person or entity, including any farm labor contractor and any agricultural association, that employs workers in agricultural employment.

(5) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Homeland Security.

(6) WORK DAY.—The term ''work day'' means any day in which the individual is employed 5.75 or more hours in agricultural employment.

TITLE I—PILOT PROGRAM FOR EARNED STATUS ADJUSTMENT OF AGRICULTURAL WORKERS

Subtitle A—Blue Card Status

SEC. 101. REQUIREMENTS FOR BLUE CARD STATUS.

(a) REQUIREMENT TO GRANT BLUE CARD STATUS.—Notwithstanding any other provision of law, the Secretary shall, pursuant to the requirements of this section, grant blue card status to an alien who qualifies under this section if the Secretary determines that the alien—

(1) has performed agricultural employment in the United States for at least 863 hours or 150 work days during the 24-month period ending on December 31, 2008;

(2) applied for such status during the 18-month application period beginning on the first day of the seventh month that begins after the date of enactment of this Act;

(3) is otherwise admissible to the United States under section 212 of the Immigration and Nationality Act (8 U.S.C. 1182), except as otherwise provided under section 105(b); and

(4) has not been convicted of any felony or a misdemeanor, an element of which involves bodily injury, threat of serious bodily injury, or harm to property in excess of $500.

(b) AUTHORIZED TRAVEL.—An alien who is granted blue card status is authorized to travel outside the United States (including commuting to the United States from a residence in a foreign country) in the same manner as an alien lawfully admitted for permanent residence.

(c) AUTHORIZED EMPLOYMENT.—The Secretary shall provide an alien who is granted blue card status an employment authorized endorsement or other appropriate work permit, in the same manner as an alien lawfully admitted for permanent residence.

(d) TERMINATION OF BLUE CARD STATUS.—

(1) DEPORTABLE ALIENS.—The Secretary shall terminate blue card status granted to an alien if the Secretary determines that the alien is deportable.

(2) OTHER GROUNDS FOR TERMINATION.—The Secretary shall terminate blue card status granted to an alien if—

(A) the Secretary finds, by a preponderance of the evidence, that the adjustment to blue card status was the result of fraud or willful misrepresentation, as described in section 212(a)(6)(C)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(C)(i)); or

(B) the alien—

(i) commits an act that makes the alien inadmissible to the United States under section 212 of the Immigration and Nationality Act (8 U.S.C. 1182), except as provided under section 105(b);

(ii) is convicted of a felony or 3 or more misdemeanors committed in the United States;

(iii) is convicted of an offense, an element of which involves bodily injury, threat of serious bodily injury, or harm to property in excess of $500; or

(iv) fails to perform the agricultural employment required under paragraph (1)(A) of section 103(a) unless the alien was unable to work in agricultural employment due to the extraordinary circumstances described in paragraph (3) of such section.

(e) RECORD OF EMPLOYMENT.—

(1) IN GENERAL.—Each employer of an alien granted blue card status shall annually—

(A) provide a written record of employment to the alien; and

(B) provide a copy of such record to the Secretary.

(2) CIVIL PENALTIES.—

(A) IN GENERAL.—If the Secretary finds, after notice and opportunity for a hearing, that an employer of an alien granted blue card status has failed to provide the record of employment required under paragraph (1) or has provided a false statement of material fact in such a record, the employer shall be subject to a civil penalty in an amount not to exceed $1,000 per violation.

(B) LIMITATION.—The penalty applicable under subparagraph (A) for failure to provide records shall not apply unless the alien has provided the employer with evidence of employment authorization granted under this section.

(3) SUNSET.—The obligation under paragraph (1) shall terminate on the date that is 6 years after the date of the enactment of this Act.

(f) REQUIRED FEATURES OF IDENTITY CARD.—The Secretary shall provide each alien granted blue card status, and the spouse and any child of each such alien residing in the United States, with a card that contains—

(1) an encrypted, machine-readable, electronic identification strip that is unique to the alien to whom the card is issued;

(2) biometric identifiers, including fingerprints and a digital photograph; and

(3) physical security features designed to prevent tampering, counterfeiting, or duplication of the card for fraudulent purposes.

(g) FINE.—An alien granted blue card status shall pay a fine of $100 to the Secretary.

(h) MAXIMUM NUMBER.—The Secretary may not issue more than 1,350,000 blue cards during the 5-year period beginning on the date of the enactment of this Act.

SEC. 102. TREATMENT OF ALIENS GRANTED BLUE CARD STATUS.

(a) IN GENERAL.—Except as otherwise provided under this section, an alien granted blue card status (including a spouse or child of the alien granted derivative status) shall be considered to be an alien lawfully admitted for permanent residence for purposes of any law other than any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) DELAYED ELIGIBILITY FOR CERTAIN FEDERAL PUBLIC BENEFITS.—Except as otherwise provided in law, an alien granted blue card status (including a spouse or child of the alien granted derivative status) shall not be eligible, by reason of such status, for any form of assistance or benefit described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)) until 5 years after the date on which the alien is granted an adjustment of status under section 103.

SEC. 103. ADJUSTMENT TO PERMANENT RESIDENCE.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall adjust the status of an alien granted blue card status to that of an alien lawfully admitted for permanent residence if the Secretary determines that the following requirements are satisfied:

(1) QUALIFYING EMPLOYMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), the alien has performed at least—

(i) 5 years of agricultural employment in the United States for at least 100 work days per year, during the 5-year period beginning on the date of the enactment of this Act; or

(ii) 3 years of agricultural employment in the United States for at least 150 work days per year, during the 3-year period beginning on the date of the enactment of this Act.

(B) 4-YEAR PERIOD OF EMPLOYMENT.—An alien shall be considered to meet the requirements of subparagraph (A) if the alien has performed 4 years of agricultural employment in the United States for at least 150 work days during 3 years of those 4 years and at least 100 work days during the remaining year, during the 4-year period beginning on the date of the enactment of this Act.

(2) PROOF.—An alien may demonstrate compliance with the requirement under paragraph (1) by submitting—

(A) the record of employment described in section 101(e); or

(B) documentation that may be submitted under section 104(c).

(3) EXTRAORDINARY CIRCUMSTANCES.—

(A) IN GENERAL.—In determining whether an alien has met the requirement of paragraph (1)(A), the Secretary may credit the alien with not more than 12 additional months of agricultural employment in the United States to meet such requirement if the alien was unable to work in agricultural employment due to—

(i) pregnancy, injury, or disease, if the alien can establish such pregnancy, disabling injury, or disease through medical records;

(ii) illness, disease, or other special needs of a minor child, if the alien can establish such illness, disease, or special needs through medical records;

(iii) severe weather conditions that prevented the alien from engaging in agricultural employment for a significant period of time; or

(iv) termination from agricultural employment, if the Secretary finds that the termination was without just cause and that the alien was unable to find alternative agricultural employment after a reasonable job search.

(B) EFFECT OF FINDING.—A finding made under subparagraph (A)(iv), with respect to an alien, shall not—

(i) be conclusive, binding, or admissible in a separate or subsequent judicial or administrative action or proceeding between the alien and a current or prior employer of the alien or any other party; or

(ii) subject the alien's employer to the payment of attorney fees incurred by the alien in seeking to obtain a finding under subparagraph (A)(iv).

(4) APPLICATION PERIOD.—The alien applies for adjustment of status not later than 7 years after the date of the enactment of this Act.

(5) FINE.—The alien pays a fine of $400 to the Secretary.

(b) GROUNDS FOR DENIAL OF ADJUSTMENT OF STATUS.—The Secretary shall deny an alien granted blue card status an adjustment of status under this section if—

(1) the Secretary finds, by a preponderance of the evidence, that the adjustment to blue card status was the result of fraud or willful misrepresentation, as described in section 212(a)(6)(C)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(C)(i)); or

(2) the alien—

(A) commits an act that makes the alien inadmissible to the United States under section 212 of the Immigration and Nationality Act (8 U.S.C. 1182), except as provided under section 105(b);

(B) is convicted of a felony or 3 or more misdemeanors committed in the United States;

(C) is convicted of an offense, an element of which involves bodily injury, threat of serious bodily injury, or harm to property in excess of $500; or

(D) failed to perform the agricultural employment required under paragraph (1)(A) of subsection (a) unless the alien was unable to work in agricultural employment due to the extraordinary circumstances described in paragraph (3) of such subsection.

(c) GROUNDS FOR REMOVAL.—Any alien granted blue card status who does not apply for adjustment of status under this section before the expiration of the application period described in subsection (a)(4) or who fails to meet the other requirements of subsection (a) by the end of the application period, is deportable and may be removed under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a).

(d) PAYMENT OF TAXES.—

(1) IN GENERAL.—Not later than the date on which an alien's status is adjusted under this section, the alien shall establish that the alien does not owe any applicable Federal tax liability by establishing that—

(A) no such tax liability exists;

(B) all such outstanding tax liabilities have been paid; or

(C) the alien has entered into an agreement for payment of all outstanding liabilities with the Internal Revenue Service.

(2) APPLICABLE FEDERAL TAX LIABILITY.—In paragraph (1) the term ''applicable Federal tax liability'' means liability for Federal taxes, including penalties and interest, owed for any year during the period of employment required under subsection (a)(1) for which the statutory period for assessment of any deficiency for such taxes has not expired.

(3) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish the payment of all taxes required by this subsection.

(e) SPOUSES AND MINOR CHILDREN.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall confer the status of lawful permanent resident on the spouse and minor child of an alien granted any adjustment of status under subsection (a), including any individual who was a minor child on the date such alien was granted blue card status, if the spouse or minor child applies for such status, or if the principal alien includes the spouse or minor child in an application for adjustment of status to that of a lawful permanent resident.

(2) TREATMENT OF SPOUSES AND MINOR CHILDREN.—

(A) GRANTING OF STATUS AND REMOVAL.—The Secretary shall grant derivative status to the alien spouse and any minor child residing in the United States of an alien granted blue card status and shall not remove such derivative spouse or child during the period that the alien granted blue card status maintains such status, except as provided in paragraph (3). A grant of derivative status to such a spouse or child under this subparagraph shall not decrease the number of aliens who may receive blue card status under subsection (h) of section 101.

(B) TRAVEL.—The derivative spouse and any minor child of an alien granted blue card status may travel outside the United States in the same manner as an alien lawfully admitted for permanent residence.

(C) EMPLOYMENT.—The derivative spouse of an alien granted blue card status may apply to the Secretary for a work permit to authorize such spouse to engage in any lawful employment in the United States while such alien maintains blue card status.

(3) GROUNDS FOR DENIAL OF ADJUSTMENT OF STATUS AND REMOVAL.—The Secretary shall deny an alien spouse or child adjustment of status under paragraph (1) and may remove such spouse or child under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a) if the spouse or child—

(A) commits an act that makes the alien spouse or child inadmissible to the United States under section 212 of such Act (8 U.S.C. 1182), except as provided under section 105(b);

(B) is convicted of a felony or 3 or more misdemeanors committed in the United States; or

(C) is convicted of an offense, an element of which involves bodily injury, threat of serious bodily injury, or harm to property in excess of $500.

SEC. 104. APPLICATIONS.

(a) SUBMISSION.—The Secretary shall provide that—

(1) applications for blue card status may be submitted—

(A) to the Secretary if the applicant is represented by an attorney or a nonprofit religious, charitable, social service, or similar organization recognized by the Board of Immigration Appeals under section 292.2 of title 8, Code of Federal Regulations; or

(B) to a qualified designated entity if the applicant consents to the forwarding of the application to the Secretary; and

(2) applications for adjustment of status under section 103 shall be filed directly with the Secretary.

(b) QUALIFIED DESIGNATED ENTITY DEFINED.—In this section, the term ''qualified designated entity'' means—

(1) a qualified farm labor organization or an association of employers designated by the Secretary; or

(2) any such other person designated by the Secretary if that Secretary determines such person is qualified and has substantial experience, demonstrated competence, and has a history of long-term involvement in the preparation and submission of applications for adjustment of status under section 209, 210, or 245 of the Immigration and Nationality Act (8 U.S.C. 1159, 1160, and 1255), the Act entitled ''An Act to adjust the status of Cuban refugees to that of lawful permanent residents of the United States, and for other purposes'', approved November 2, 1966 (Public Law 89–732; 8 U.S.C. 1255 note), Public Law 95–145 (8 U.S.C. 1255 note), or the Immigration Reform and Control Act of 1986 (Public Law 99–603; 100 Stat. 3359) or any amendment made by that Act.

(c) PROOF OF ELIGIBILITY.—

(1) IN GENERAL.—An alien may establish that the alien meets the requirement of section 101(a)(1) or 103(a)(1) through government employment records or records supplied by employers or collective bargaining organizations, and other reliable documentation as the alien may provide. The Secretary shall establish special procedures to properly credit work in cases in which an alien was employed under an assumed name.

(2) DOCUMENTATION OF WORK HISTORY.—

(A) BURDEN OF PROOF.—An alien applying for status under section 101(a) or 103(a) has the burden of proving by a preponderance of the evidence that the alien has worked the requisite number of hours or days required under section 101(a)(1) or 103(a)(1), as applicable.

(B) TIMELY PRODUCTION OF RECORDS.—If an employer or farm labor contractor employing such an alien has kept proper and adequate records respecting such employment, the alien's burden of proof under subparagraph (A) may be met by securing timely production of those records under regulations to be promulgated by the Secretary.

(C) SUFFICIENT EVIDENCE.—An alien may meet the burden of proof under subparagraph (A) to establish that the alien has performed the days or hours of work required by section 101(a)(1) or 103(a)(1) by producing sufficient evidence to show the extent of that employment as a matter of just and reasonable inference.

(d) APPLICATIONS SUBMITTED TO QUALIFIED DESIGNATED ENTITIES.—

(1) REQUIREMENTS.—Each qualified designated entity shall agree—

(A) to forward to the Secretary an application submitted to that entity pursuant to subsection (a)(1)(B) if the applicant has consented to such forwarding;

(B) not to forward to the Secretary any such application if the applicant has not consented to such forwarding; and

(C) to assist an alien in obtaining documentation of the alien's work history, if the alien requests such assistance.

(2) NO AUTHORITY TO MAKE DETERMINATIONS.—No qualified designated entity may make a determination required by this subtitle to be made by the Secretary.

(e) LIMITATION ON ACCESS TO INFORMATION.—Files and records collected or compiled by a qualified designated entity for the purposes of this section are confidential and the Secretary shall not have access to such a file or record relating to an alien without the consent of the alien, except as allowed by a court order issued pursuant to subsection (f).

(f) CONFIDENTIALITY OF INFORMATION.—

(1) IN GENERAL.—Except as otherwise provided in this section, the Secretary or any other official or employee of the Department or a bureau or agency of the Department is prohibited from—

(A) using information furnished by the applicant pursuant to an application filed under this title, the information provided by an applicant to a qualified designated entity, or any information provided by an employer or former employer for any purpose other than to make a determination on the application or for imposing the penalties described in subsection (g);

(B) making any publication in which the information furnished by any particular individual can be identified; or

(C) permitting a person other than a sworn officer or employee of the Department or a bureau or agency of the Department or, with respect to applications filed with a qualified designated entity, that qualified designated entity, to examine individual applications.

(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished under this title or any other information derived from such furnished information to—

(A) a duly recognized law enforcement entity in connection with a criminal investigation or prosecution, if such information is requested in writing by such entity; or

(B) an official coroner, for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

(3) CONSTRUCTION.—

(A) IN GENERAL.—Nothing in this subsection shall be construed to limit the use, or release, for immigration enforcement purposes or law enforcement purposes, of information contained in files or records of the Department pertaining to an application filed under this section, other than information furnished by an applicant pursuant to the application, or any other information derived from the application, that is not available from any other source.

(B) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this subsection, information concerning whether the alien applying for blue card status or an adjustment of status under section 103 has been convicted of a crime at any time may be used or released for immigration enforcement or law enforcement purposes.

(4) CRIME.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this subsection shall be subject to a fine in an amount not to exceed $10,000.

(g) PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.—

(1) CRIMINAL PENALTY.—Any person who—

(A) files an application for blue card status or an adjustment of status under section 103 and knowingly and willfully falsifies, conceals, or covers up a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry; or

(B) creates or supplies a false writing or document for use in making such an application,

shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

(2) INADMISSIBILITY.—An alien who is convicted of a crime under paragraph (1) shall be considered to be inadmissible to the United States on the ground described in section 212(a)(6)(C)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(C)(i)).

(h) ELIGIBILITY FOR LEGAL SERVICES.—Section 504(a)(11) of Public Law 104–134 (110 Stat. 1321–53 et seq.) shall not be construed to prevent a recipient of funds under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) from providing legal assistance directly related to an application for blue card status or an adjustment of status under section 103.

(i) APPLICATION FEES.—

(1) FEE SCHEDULE.—The Secretary shall provide for a schedule of fees that—

(A) shall be charged for the filing of an application for blue card status or for an adjustment of status under section 103; and

(B) may be charged by qualified designated entities to help defray the costs of services provided to such applicants.

(2) PROHIBITION ON EXCESS FEES BY QUALIFIED DESIGNATED ENTITIES.—A qualified designated entity may not charge any fee in excess of, or in addition to, the fees authorized under paragraph (1)(B) for services provided to applicants.

(3) DISPOSITION OF FEES.—

(A) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the ''Agricultural Worker Immigration Status Adjustment Account''. Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account all fees collected under paragraph (1)(A).

(B) USE OF FEES FOR APPLICATION PROCESSING.—Amounts deposited in the ''Agricultural Worker Immigration Status Adjustment Account'' shall remain available to the Secretary until expended for processing applications for blue card status or an adjustment of status under section 103.

SEC. 105. WAIVER OF NUMERICAL LIMITATIONS AND CERTAIN GROUNDS FOR INADMISSIBILITY.

(a) NUMERICAL LIMITATIONS DO NOT APPLY.—The numerical limitations of sections 201 and 202 of the Immigration and Nationality Act (8 U.S.C. 1151 and 1152) shall not apply to the adjustment of aliens to lawful permanent resident status under section 103.

(b) WAIVER OF CERTAIN GROUNDS OF INADMISSIBILITY.—In the determination of an alien's eligibility for status under section 101(a) or an alien's eligibility for adjustment of status under section 103(b)(2)(A) the following rules shall apply:

(1) GROUNDS OF EXCLUSION NOT APPLICABLE.—The provisions of paragraphs (5), (6)(A), (7), and (9) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) shall not apply.

(2) WAIVER OF OTHER GROUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may waive any other provision of such section 212(a) in the case of individual aliens for humanitarian purposes, to ensure family unity, or if otherwise in the public interest.

(B) GROUNDS THAT MAY NOT BE WAIVED.—Subparagraphs (A), (B), (C), (D), (G), (H), and (I) of paragraph (2) and paragraphs (3) and (4) of such section 212(a) may not be waived by the Secretary under subparagraph (A).

(C) CONSTRUCTION.—Nothing in this paragraph shall be construed as affecting the authority of the Secretary other than under this subparagraph to waive provisions of such section 212(a).

(3) SPECIAL RULE FOR DETERMINATION OF PUBLIC CHARGE.—An alien is not ineligible for blue card status or an adjustment of status under section 103 by reason of a ground of inadmissibility under section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) if the alien demonstrates a history of employment in the United States evidencing self-support without reliance on public cash assistance.

(c) TEMPORARY STAY OF REMOVAL AND WORK AUTHORIZATION FOR CERTAIN APPLICANTS.—

(1) BEFORE APPLICATION PERIOD.—Effective on the date of enactment of this Act, the Secretary shall provide that, in the case of an alien who is apprehended before the beginning of the application period described in section 101(a)(2) and who can establish a nonfrivolous case of eligibility for blue card status (but for the fact that the alien may not apply for such status until the beginning of such period), until the alien has had the opportunity during the first 30 days of the application period to complete the filing of an application for blue card status, the alien—

(A) may not be removed; and

(B) shall be granted authorization to engage in employment in the United States and be provided an employment authorized endorsement or other appropriate work permit for such purpose.

(2) DURING APPLICATION PERIOD.—The Secretary shall provide that, in the case of an alien who presents a nonfrivolous application for blue card status during the application period described in section 101(a)(2), including an alien who files such an application within 30 days of the alien's apprehension, and until a final determination on the application has been made in accordance with this section, the alien—

(A) may not be removed; and

(B) shall be granted authorization to engage in employment in the United States and be provided an employment authorized endorsement or other appropriate work permit for such purpose.

SEC. 106. ADMINISTRATIVE AND JUDICIAL REVIEW.

(a) IN GENERAL.—There shall be no administrative or judicial review of a determination respecting an application for blue card status or adjustment of status under section 103 except in accordance with this section.

(b) ADMINISTRATIVE REVIEW.—

(1) SINGLE LEVEL OF ADMINISTRATIVE APPELLATE REVIEW.—The Secretary shall establish an appellate authority to provide for a single level of administrative appellate review of such a determination.

(2) STANDARD FOR REVIEW.—Such administrative appellate review shall be based solely upon the administrative record established at the time of the determination on the application and upon such additional or newly discovered evidence as may not have been available at the time of the determination.

(c) JUDICIAL REVIEW.—

(1) LIMITATION TO REVIEW OF REMOVAL.—There shall be judicial review of such a determination only in the judicial review of an order of removal under section 242 of the Immigration and Nationality Act (8 U.S.C. 1252).

(2) STANDARD FOR JUDICIAL REVIEW.—Such judicial review shall be based solely upon the administrative record established at the time of the review by the appellate authority and the findings of fact and determinations contained in such record shall be conclusive unless the applicant can establish abuse of discretion or that the findings are directly contrary to clear and convincing facts contained in the record considered as a whole.

SEC. 107. USE OF INFORMATION.

Beginning not later than the first day of the application period described in section 101(a)(2), the Secretary, in cooperation with qualified designated entities (as that term is defined in section 104(b)), shall broadly disseminate information respecting the benefits that aliens may receive under this subtitle and the requirements that an alien is required to meet to receive such benefits.

SEC. 108. REGULATIONS, EFFECTIVE DATE, AUTHORIZATION OF APPROPRIATIONS.

(a) REGULATIONS.—The Secretary shall issue regulations to implement this subtitle not later than the first day of the seventh month that begins after the date of enactment of this Act.

(b) EFFECTIVE DATE.—This subtitle shall take effect on the date that regulations required by subsection (a) are issued, regardless of whether such regulations are issued on an interim basis or on any other basis.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to implement this subtitle, including any sums needed for costs associated with the initiation of such implementation, for fiscal years 2009 and 2010.

Subtitle B—Correction of Social Security Records

SEC. 111. CORRECTION OF SOCIAL SECURITY RECORDS.

(a) IN GENERAL.—Section 208(e)(1) of the Social Security Act (42 U.S.C. 408(e)(1)) is amended—

(1) in subparagraph (B)(ii), by striking ''or'' at the end;

(2) in subparagraph (C), by inserting ''or'' at the end;

(3) by inserting after subparagraph (C) the following:

''(D) who is granted blue card status under the Agricultural Job Opportunities, Benefits, and Security Act of 2009''; and

(4) by striking ''1990.'' and inserting ''1990, or in the case of an alien described in subparagraph (D), if such conduct is alleged to have occurred before the date on which the alien was granted blue card status.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the seventh month that begins after the date of the enactment of this Act.

TITLE II—REFORM OF H–2A WORKER PROGRAM

SEC. 201. AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.

(a) IN GENERAL.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by striking section 218 and inserting the following:

''SEC. 218. H–2A EMPLOYER APPLICATIONS.

''(a) APPLICATIONS TO THE SECRETARY OF LABOR.—

''(1) IN GENERAL.—No alien may be admitted to the United States as an H–2A worker, or otherwise provided status as an H–2A worker, unless the employer has filed with the Secretary of Labor an application containing—

''(A) the assurances described in subsection (b);

''(B) a description of the nature and location of the work to be performed;

''(C) the anticipated period (expected beginning and ending dates) for which the workers will be needed; and

''(D) the number of job opportunities in which the employer seeks to employ the workers.

''(2) ACCOMPANIED BY JOB OFFER.—Each application filed under paragraph (1) shall be accompanied by a copy of the job offer describing the wages and other terms and conditions of employment and the bona fide occupational qualifications that shall be possessed by a worker to be employed in the job opportunity in question.

''(b) ASSURANCES FOR INCLUSION IN APPLICATIONS.—The assurances referred to in subsection (a)(1) are the following:

''(1) JOB OPPORTUNITIES COVERED BY COLLECTIVE BARGAINING AGREEMENTS.—With respect to a job opportunity that is covered under a collective bargaining agreement:

''(A) UNION CONTRACT DESCRIBED.—The job opportunity is covered by a union contract which was negotiated at arm's length between a bona fide union and the employer.

''(B) STRIKE OR LOCKOUT.—The specific job opportunity for which the employer is requesting an H–2A worker is not vacant because the former occupant is on strike or being locked out in the course of a labor dispute.

''(C) NOTIFICATION OF BARGAINING REPRESENTATIVES.—The employer, at the time of filing the application, has provided notice of the filing under this paragraph to the bargaining representative of the employer's employees in the occupational classification at the place or places of employment for which aliens are sought.

''(D) TEMPORARY OR SEASONAL JOB OPPORTUNITIES.—The job opportunity is temporary or seasonal.

''(E) OFFERS TO UNITED STATES WORKERS.—The employer has offered or will offer the job to any eligible United States worker who applies and is equally or better qualified for the job for which the nonimmigrant is, or the nonimmigrants are, sought and who will be available at the time and place of need.

''(F) PROVISION OF INSURANCE.—If the job opportunity is not covered by the State workers' compensation law, the employer will provide, at no cost to the worker, insurance covering injury and disease arising out of, and in the course of, the worker's employment which will provide benefits at least equal to those provided under the State's workers' compensation law for comparable employment.

''(2) JOB OPPORTUNITIES NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS.—With respect to a job opportunity that is not covered under a collective bargaining agreement:

''(A) STRIKE OR LOCKOUT.—The specific job opportunity for which the employer has applied for an H–2A worker is not vacant because the former occupant is on strike or being locked out in the course of a labor dispute.

''(B) TEMPORARY OR SEASONAL JOB OPPORTUNITIES.—The job opportunity is temporary or seasonal.

''(C) BENEFIT, WAGE, AND WORKING CONDITIONS.—The employer will provide, at a minimum, the benefits, wages, and working conditions required by section 218A to all workers employed in the job opportunities for which the employer has applied for an H–2A worker under subsection (a) and to all other workers in the same occupation at the place of employment.

''(D) NONDISPLACEMENT OF UNITED STATES WORKERS.—The employer did not displace and will not displace a United States worker employed by the employer during the period of employment and for a period of 30 days preceding the period of employment in the occupation at the place of employment for which the employer has applied for an H–2A worker.

''(E) REQUIREMENTS FOR PLACEMENT OF THE NONIMMIGRANT WITH OTHER EMPLOYERS.—The employer will not place the nonimmigrant with another employer unless—

''(i) the nonimmigrant performs duties in whole or in part at 1 or more worksites owned, operated, or controlled by such other employer;

''(ii) there are indicia of an employment relationship between the nonimmigrant and such other employer; and

''(iii) the employer has inquired of the other employer as to whether, and has no actual knowledge or notice that, during the period of employment and for a period of 30 days preceding the period of employment, the other employer has displaced or intends to displace a United States worker employed by the other employer in the occupation at the place of employment for which the employer seeks approval to employ H–2A workers.

''(F) STATEMENT OF LIABILITY.—The application form shall include a clear statement explaining the liability under subparagraph (E) of an employer if the other employer described in such subparagraph displaces a United States worker as described in such subparagraph.

''(G) PROVISION OF INSURANCE.—If the job opportunity is not covered by the State workers' compensation law, the employer will provide, at no cost to the worker, insurance covering injury and disease arising out of and in the course of the worker's employment which will provide benefits at least equal to those provided under the State's workers' compensation law for comparable employment.

''(H) EMPLOYMENT OF UNITED STATES WORKERS.—

''(i) RECRUITMENT.—The employer has taken or will take the following steps to recruit United States workers for the job opportunities for which the H–2A nonimmigrant is, or H–2A nonimmigrants are, sought:

''(I) CONTACTING FORMER WORKERS.—The employer shall make reasonable efforts through the sending of a letter by United States Postal Service mail, or otherwise, to contact any United States worker the employer employed during the previous season in the occupation at the place of intended employment for which the employer is applying for workers and has made the availability of the employer's job opportunities in the occupation at the place of intended employment known to such previous workers, unless the worker was terminated from employment by the employer for a lawful job-related reason or abandoned the job before the worker completed the period of employment of the job opportunity for which the worker was hired.

''(II) FILING A JOB OFFER WITH THE LOCAL OFFICE OF THE STATE EMPLOYMENT SECURITY AGENCY.—Not later than 28 days before the date on which the employer desires to employ an H–2A worker in a temporary or seasonal agricultural job opportunity, the employer shall submit a copy of the job offer described in subsection (a)(2) to the local office of the State employment security agency which serves the area of intended employment and authorize the posting of the job opportunity on 'America's Job Bank' or other electronic job registry, except that nothing in this subclause shall require the employer to file an interstate job order under section 653 of title 20, Code of Federal Regulations.

''(III) ADVERTISING OF JOB OPPORTUNITIES.—Not later than 14 days before the date on which the employer desires to employ an H–2A worker in a temporary or seasonal agricultural job opportunity, the employer shall advertise the availability of the job opportunities for which the employer is seeking workers in a publication in the local labor market that is likely to be patronized by potential farm workers.

''(IV) EMERGENCY PROCEDURES.—The Secretary of Labor shall, by regulation, provide a procedure for acceptance and approval of applications in which the employer has not complied with the provisions of this subparagraph because the employer's need for H–2A workers could not reasonably have been foreseen.

''(ii) JOB OFFERS.—The employer has offered or will offer the job to any eligible United States worker who applies and is equally or better qualified for the job for which the nonimmigrant is, or nonimmigrants are, sought and who will be available at the time and place of need.

''(iii) PERIOD OF EMPLOYMENT.—The employer will provide employment to any qualified United States worker who applies to the employer during the period beginning on the date on which the H–2A worker departs for the employer's place of employment and ending on the date on which 50 percent of the period of employment for which the H–2A worker who is in the job was hired has elapsed, subject to the following requirements:

''(I) PROHIBITION.—No person or entity shall willfully and knowingly withhold United States workers before the arrival of H–2A workers in order to force the hiring of United States workers under this clause.

''(II) COMPLAINTS.—Upon receipt of a complaint by an employer that a violation of subclause (I) has occurred, the Secretary of Labor shall immediately investigate. The Secretary of Labor shall, within 36 hours of the receipt of the complaint, issue findings concerning the alleged violation. If the Secretary of Labor finds that a violation has occurred, the Secretary of Labor shall immediately suspend the application of this clause with respect to that certification for that date of need.

''(III) PLACEMENT OF UNITED STATES WORKERS.—Before referring a United States worker to an employer during the period described in the matter preceding subclause (I), the Secretary of Labor shall make all reasonable efforts to place the United States worker in an open job acceptable to the worker, if there are other job offers pending with the job service that offer similar job opportunities in the area of intended employment.

''(iv) STATUTORY CONSTRUCTION.—Nothing in this subparagraph shall be construed to prohibit an employer from using such legitimate selection criteria relevant to the type of job that are normal or customary to the type of job involved so long as such criteria are not applied in a discriminatory manner.

''(c) APPLICATIONS BY ASSOCIATIONS ON BEHALF OF EMPLOYER MEMBERS.—

''(1) IN GENERAL.—An agricultural association may file an application under subsection (a) on behalf of 1 or more of its employer members that the association certifies in its application has or have agreed in writing to comply with the requirements of this section and sections 218A, 218B, and 218C.

''(2) TREATMENT OF ASSOCIATIONS ACTING AS EMPLOYERS.—If an association filing an application under paragraph (1) is a joint or sole employer of the temporary or seasonal agricultural workers requested on the application, the certifications granted under subsection (e)(2)(B) to the association may be used for the certified job opportunities of any of its producer members named on the application, and such workers may be transferred among such producer members to perform the agricultural services of a temporary or seasonal nature for which the certifications were granted.

''(d) WITHDRAWAL OF APPLICATIONS.—

''(1) IN GENERAL.—An employer may withdraw an application filed pursuant to subsection (a), except that if the employer is an agricultural association, the association may withdraw an application filed pursuant to subsection (a) with respect to 1 or more of its members. To withdraw an application, the employer or association shall notify the Secretary of Labor in writing, and the Secretary of Labor shall acknowledge in writing the receipt of such withdrawal notice. An employer who withdraws an application under subsection (a), or on whose behalf an application is withdrawn, is relieved of the obligations undertaken in the application.

''(2) LIMITATION.—An application may not be withdrawn while any alien provided status under section 101(a)(15)(H)(ii)(a) pursuant to such application is employed by the employer.

''(3) OBLIGATIONS UNDER OTHER STATUTES.—Any obligation incurred by an employer under any other law or regulation as a result of the recruitment of United States workers or H–2A workers under an offer of terms and conditions of employment required as a result of making an application under subsection (a) is unaffected by withdrawal of such application.

''(e) REVIEW AND APPROVAL OF APPLICATIONS.—

''(1) RESPONSIBILITY OF EMPLOYERS.—The employer shall make available for public examination, within 1 working day after the date on which an application under subsection (a) is filed, at the employer's principal place of business or worksite, a copy of each such application (and such accompanying documents as are necessary).

''(2) RESPONSIBILITY OF THE SECRETARY OF LABOR.—

''(A) COMPILATION OF LIST.—The Secretary of Labor shall compile, on a current basis, a list (by employer and by occupational classification) of the applications filed under subsection (a). Such list shall include the wage rate, number of workers sought, period of intended employment, and date of need. The Secretary of Labor shall make such list available for examination in the District of Columbia.

''(B) REVIEW OF APPLICATIONS.—The Secretary of Labor shall review such an application only for completeness and obvious inaccuracies. Unless the Secretary of Labor finds that the application is incomplete or obviously inaccurate, the Secretary of Labor shall certify that the intending employer has filed with the Secretary of Labor an application as described in subsection (a). Such certification shall be provided within 7 days of the filing of the application.''

"SEC. 218A. H–2A EMPLOYMENT REQUIREMENTS.

''(a) PREFERENTIAL TREATMENT OF ALIENS PROHIBITED.—Employers seeking to hire United States workers shall offer the United States workers no less than the same benefits, wages, and working conditions that the employer is offering, intends to offer, or will provide to H–2A workers. Conversely, no job offer may impose on United States workers any restrictions or obligations which will not be imposed on the employer's H–2A workers.

''(b) MINIMUM BENEFITS, WAGES, AND WORKING CONDITIONS.—Except in cases where higher benefits, wages, or working conditions are required by the provisions of subsection (a), in order to protect similarly employed United States workers from adverse effects with respect to benefits, wages, and working conditions, every job offer which shall accompany an application under section 218(b)(2) shall include each of the following benefit, wage, and working condition provisions:

''(1) REQUIREMENT TO PROVIDE HOUSING OR A HOUSING ALLOWANCE.—

''(A) IN GENERAL.—An employer applying under section 218(a) for H–2A workers shall offer to provide housing at no cost to all workers in job opportunities for which the employer has applied under that section and to all other workers in the same occupation at the place of employment, whose place of residence is beyond normal commuting distance.

''(B) TYPE OF HOUSING.—In complying with subparagraph (A), an employer may, at the employer's election, provide housing that meets applicable Federal standards for temporary labor camps or secure housing that meets applicable local standards for rental or public accommodation housing or other substantially similar class of habitation, or in the absence of applicable local standards, State standards for rental or public accommodation housing or other substantially similar class of habitation. In the absence of applicable local or State standards, Federal temporary labor camp standards shall apply.

''(C) FAMILY HOUSING.—If it is the prevailing practice in the occupation and area of intended employment to provide family housing, family housing shall be provided to workers with families who request it.

''(D) WORKERS ENGAGED IN THE RANGE PRODUCTION OF LIVESTOCK.—The Secretary of Labor shall issue regulations that address the specific requirements for the provision of housing to workers engaged in the range production of livestock.

''(E) LIMITATION.—Nothing in this paragraph shall be construed to require an employer to provide or secure housing for persons who were not entitled to such housing under the temporary labor certification regulations in effect on June 1, 1986.

''(F) CHARGES FOR HOUSING.—

''(i) CHARGES FOR PUBLIC HOUSING.—If public housing provided for migrant agricultural workers under the auspices of a local, county, or State government is secured by an employer, and use of the public housing unit normally requires charges from migrant workers, such charges shall be paid by the employer directly to the appropriate individual or entity affiliated with the housing's management.

''(ii) DEPOSIT CHARGES.—Charges in the form of deposits for bedding or other similar incidentals related to housing shall not be levied upon workers by employers who provide housing for their workers. An employer may require a worker found to have been responsible for damage to such housing which is not the result of normal wear and tear related to habitation to reimburse the employer for the reasonable cost of repair of such damage.

''(G) HOUSING ALLOWANCE AS ALTERNATIVE.—

''(i) IN GENERAL.—If the requirement set out in clause (ii) is satisfied, the employer may provide a reasonable housing allowance instead of offering housing under subparagraph (A). Upon the request of a worker seeking assistance in locating housing, the employer shall make a good faith effort to assist the worker in identifying and locating housing in the area of intended employment. An employer who offers a housing allowance to a worker, or assists a worker in locating housing which the worker occupies, pursuant to this clause shall not be deemed a housing provider under section 203 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1823) solely by virtue of providing such housing allowance. No housing allowance may be used for housing which is owned or controlled by the employer.

''(ii) CERTIFICATION.—The requirement of this clause is satisfied if the Governor of the State certifies to the Secretary of Labor that there is adequate housing available in the area of intended employment for migrant farm workers and H–2A workers who are seeking temporary housing while employed in agricultural work. Such certification shall expire after 3 years unless renewed by the Governor of the State.

''(iii) AMOUNT OF ALLOWANCE.—

''(I) NONMETROPOLITAN COUNTIES.—If the place of employment of the workers provided an allowance under this subparagraph is a nonmetropolitan county, the amount of the housing allowance under this subparagraph shall be equal to the statewide average fair market rental for existing housing for nonmetropolitan counties for the State, as established by the Secretary of Housing and Urban Development pursuant to section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)), based on a 2-bedroom dwelling unit and an assumption of 2 persons per bedroom.

''(II) METROPOLITAN COUNTIES.—If the place of employment of the workers provided an allowance under this paragraph is in a metropolitan county, the amount of the housing allowance under this subparagraph shall be equal to the statewide average fair market rental for existing housing for metropolitan counties for the State, as established by the Secretary of Housing and Urban Development pursuant to section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)), based on a 2-bedroom dwelling unit and an assumption of 2 persons per bedroom.

''(2) REIMBURSEMENT OF TRANSPORTATION.—

''(A) TO PLACE OF EMPLOYMENT.—A worker who completes 50 percent of the period of employment of the job opportunity for which the worker was hired shall be reimbursed by the employer for the cost of the worker's transportation and subsistence from the place from which the worker came to work for the employer (or place of last employment, if the worker traveled from such place) to the place of employment.

''(B) FROM PLACE OF EMPLOYMENT.—A worker who completes the period of employment for the job opportunity involved shall be reimbursed by the employer for the cost of the worker's transportation and subsistence from the place of employment to the place from which the worker, disregarding intervening employment, came to work for the employer, or to the place of next employment, if the worker has contracted with a subsequent employer who has not agreed to provide or pay for the worker's transportation and subsistence to such subsequent employer's place of employment.

''(C) LIMITATION.—

''(i) AMOUNT OF REIMBURSEMENT.—Except as provided in clause (ii), the amount of reimbursement provided under subparagraph (A) or (B) to a worker or alien shall not exceed the lesser of—

''(I) the actual cost to the worker or alien of the transportation and subsistence involved; or

''(II) the most economical and reasonable common carrier transportation charges and subsistence costs for the distance involved.

''(ii) DISTANCE TRAVELED.—No reimbursement under subparagraph (A) or (B) shall be required if the distance traveled is 100 miles or less, or the worker is not residing in employer-provided housing or housing secured through an allowance as provided in paragraph (1)(G).

''(D) EARLY TERMINATION.—If the worker is laid off or employment is terminated for contract impossibility (as described in paragraph (4)(D)) before the anticipated ending date of employment, the employer shall provide the transportation and subsistence required by subparagraph (B) and, notwithstanding whether the worker has completed 50 percent of the period of employment, shall

provide the transportation reimbursement required by subparagraph (A).

''(E) TRANSPORTATION BETWEEN LIVING QUARTERS AND WORKSITE.—The employer shall provide transportation between the worker's living quarters and the employer's worksite without cost to the worker, and such transportation will be in accordance with applicable laws and regulations.

''(3) REQUIRED WAGES.—

''(A) IN GENERAL.—An employer applying for workers under section 218(a) shall offer to pay, and shall pay, all workers in the occupation for which the employer has applied for workers, not less (and is not required to pay more) than the greater of the prevailing wage in the occupation in the area of intended employment or the adverse effect wage rate. No worker shall be paid less than the greater of the hourly wage prescribed under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State minimum wage.

''(B) LIMITATION.—Effective on the date of the enactment of the Agricultural Job Opportunities, Benefits, and Security Act of 2009 and continuing for 3 years thereafter, no adverse effect wage rate for a State may be more than the adverse effect wage rate for that State in effect on January 1, 2009, as established by section 655.107 of title 20, Code of Federal Regulations.

''(C) REQUIRED WAGES AFTER 3-YEAR FREEZE.—

''(i) FIRST ADJUSTMENT.—If Congress does not set a new wage standard applicable to this section before the first March 1 that is not less than 3 years after the date of enactment of this section, the adverse effect wage rate for each State beginning on such March 1 shall be the wage rate that would have resulted if the adverse effect wage rate in effect on January 1, 2009, had been annually adjusted, beginning on March 1, 2012, by the lesser of—

''(I) the 12-month percentage change in the Consumer Price Index for All Urban Consumers between December of the second preceding year and December of the preceding year; and

''(II) 4 percent.

''(ii) SUBSEQUENT ANNUAL ADJUSTMENTS.—Beginning on the first March 1 that is not less than 4 years after the date of enactment of this section, and each March 1 thereafter, the adverse effect wage rate then in effect for each State shall be adjusted by the lesser of—

''(I) the 12-month percentage change in the Consumer Price Index for All Urban Consumers between December of the second preceding year and December of the preceding year; and

''(II) 4 percent.

''(D) DEDUCTIONS.—The employer shall make only those deductions from the worker's wages that are authorized by law or are reasonable and customary in the occupation and area of employment. The job offer shall specify all deductions not required by law which the employer will make from the worker's wages.

''(E) FREQUENCY OF PAY.—The employer shall pay the worker not less frequently than twice monthly, or in accordance with the prevailing practice in the area of employment, whichever is more frequent.

''(F) HOURS AND EARNINGS STATEMENTS.—The employer shall furnish to the worker, on or before each payday, in 1 or more written statements—

''(i) the worker's total earnings for the pay period;

''(ii) the worker's hourly rate of pay, piece rate of pay, or both;

''(iii) the hours of employment which have been offered to the worker (broken out by hours offered in accordance with and over and above the ¾ guarantee described in paragraph (4);

''(iv) the hours actually worked by the worker;

''(v) an itemization of the deductions made from the worker's wages; and

''(vi) if piece rates of pay are used, the units produced daily.

''(G) REPORT ON WAGE PROTECTIONS.—Not later than December 31, 2011, the Comptroller General of the United States shall prepare and transmit to the Secretary of Labor, the Committee on the Judiciary of the Senate, and Committee on the Judiciary of the House of Representatives, a report that addresses—

''(i) whether the employment of H–2A or unauthorized aliens in the United States agricultural workforce has depressed United States farm worker wages below the levels that would otherwise have prevailed if alien farm workers had not been employed in the United States;

''(ii) whether an adverse effect wage rate is necessary to prevent wages of United States farm workers in occupations in which H–2A workers are employed from falling below the wage levels that would have prevailed in the absence of the employment of H–2A workers in those occupations;

''(iii) whether alternative wage standards, such as a prevailing wage standard, would be sufficient to prevent wages in occupations in which H–2A workers are employed from falling below the wage level that would have prevailed in the absence of H–2A employment;

''(iv) whether any changes are warranted in the current methodologies for calculating the adverse effect wage rate and the prevailing wage; and

''(v) recommendations for future wage protection under this section.

''(H) COMMISSION ON WAGE STANDARDS.—

''(i) ESTABLISHMENT.—There is established the Commission on Agricultural Wage Standards under the H–2A program (in this subparagraph referred to as the 'Commission').

''(ii) COMPOSITION.—The Commission shall consist of 10 members as follows:

''(I) Four representatives of agricultural employers and 1 representative of the Department of Agriculture, each appointed by the Secretary of Agriculture.

''(II) Four representatives of agricultural workers and 1 representative of the Department of Labor, each appointed by the Secretary of Labor.

''(iii) FUNCTIONS.—The Commission shall conduct a study that shall address—

''(I) whether the employment of H–2A or unauthorized aliens in the United States agricultural workforce has depressed United States farm worker wages below the levels that would otherwise have prevailed if alien farm workers had not been employed in the United States;

''(II) whether an adverse effect wage rate is necessary to prevent wages of United States farm workers in occupations in which H–2A workers are employed from falling below the wage levels that would have prevailed in the absence of the employment of H–2A workers in those occupations;

''(III) whether alternative wage standards, such as a prevailing wage standard, would be sufficient to prevent wages in occupations in which H–2A workers are employed from falling below the wage level that would have prevailed in the absence of H–2A employment;

''(IV) whether any changes are warranted in the current methodologies for calculating the adverse effect wage rate and the prevailing wage rate; and

''(V) recommendations for future wage protection under this section.

''(iv) FINAL REPORT.—Not later than December 31, 2011, the Commission shall submit a report to the Congress setting forth the findings of the study conducted under clause (iii).

''(v) TERMINATION DATE.—The Commission shall terminate upon submitting its final report.

''(4) GUARANTEE OF EMPLOYMENT.—

''(A) OFFER TO WORKER.—The employer shall guarantee to offer the worker employment for the hourly equivalent of at least ¾ of the work days of the total period of employment, beginning with the first work day after the arrival of the worker at the place of employment and ending on the expiration date specified in the job offer. For purposes of this subparagraph, the hourly equivalent means the number of hours in the work days as stated in the job offer and shall exclude the worker's Sabbath and Federal holidays. If the employer affords the United States or H–2A worker less employment than that required under this paragraph, the employer shall pay such worker the amount which the worker would have earned had the worker, in fact, worked for the guaranteed number of hours.

''(B) FAILURE TO WORK.—Any hours which the worker fails to work, up to a maximum of the number of hours specified in the job offer for a work day, when the worker has been offered an opportunity to do so, and all hours of work actually performed (including voluntary work in excess of the number of hours specified in the job offer in a work day, on the worker's Sabbath, or on Federal holidays) may be counted by the employer in calculating whether the period of guaranteed employment has been met.

''(C) ABANDONMENT OF EMPLOYMENT, TERMINATION FOR CAUSE.—If the worker voluntarily abandons employment before the end of the contract period, or is terminated for cause, the worker is not entitled to the '¾ guarantee' described in subparagraph (A).

''(D) CONTRACT IMPOSSIBILITY.—If, before the expiration of the period of employment specified in the job offer, the services of the worker are no longer required for reasons beyond the control of the employer due to any form of natural disaster, including a flood, hurricane, freeze, earthquake, fire, drought, plant or animal disease or pest infestation, or regulatory drought, before the guarantee in subparagraph (A) is fulfilled, the employer may terminate the worker's employment. In the event of such termination, the employer shall fulfill the employment guarantee in subparagraph (A) for the work days that have elapsed from the first work day after the arrival of the worker to the termination of employment. In such cases, the employer will make efforts to transfer the United States worker to other comparable employment acceptable to the worker. If such transfer is not effected, the employer shall provide the return transportation required in paragraph (2)(D).

''(5) MOTOR VEHICLE SAFETY.—

''(A) MODE OF TRANSPORTATION SUBJECT TO COVERAGE.—

''(i) IN GENERAL.—Except as provided in clauses (iii) and (iv), this subsection applies to any H–2A employer that uses or causes to be used any vehicle to transport an H–2A worker within the United States.

''(ii) DEFINED TERM.—In this paragraph, the term 'uses or causes to be used'—

''(I) applies only to transportation provided by an H–2A employer to an H–2A worker, or by a farm labor contractor to an H–2A worker at the request or direction of an H–2A employer; and

''(II) does not apply to—

''(aa) transportation provided, or transportation arrangements made, by an H–2A

worker, unless the employer specifically requested or arranged such transportation; or

''(bb) car pooling arrangements made by H–2A workers themselves, using 1 of the workers' own vehicles, unless specifically requested by the employer directly or through a farm labor contractor.

''(iii) CLARIFICATION.—Providing a job offer to an H–2A worker that causes the worker to travel to or from the place of employment, or the payment or reimbursement of the transportation costs of an H–2A worker by an H–2A employer, shall not constitute an arrangement of, or participation in, such transportation.

''(iv) AGRICULTURAL MACHINERY AND EQUIPMENT EXCLUDED.—This subsection does not apply to the transportation of an H–2A worker on a tractor, combine, harvester, picker, or other similar machinery or equipment while such worker is actually engaged in the planting, cultivating, or harvesting of agricultural commodities or the care of livestock or poultry or engaged in transportation incidental thereto.

''(v) COMMON CARRIERS EXCLUDED.—This subsection does not apply to common carrier motor vehicle transportation in which the provider holds itself out to the general public as engaging in the transportation of passengers for hire and holds a valid certification of authorization for such purposes from an appropriate Federal, State, or local agency.

''(B) APPLICABILITY OF STANDARDS, LICENSING, AND INSURANCE REQUIREMENTS.—

''(i) IN GENERAL.—When using, or causing to be used, any vehicle for the purpose of providing transportation to which this subparagraph applies, each employer shall—

''(I) ensure that each such vehicle conforms to the standards prescribed by the Secretary of Labor under section 401(b) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1841(b)) and other applicable Federal and State safety standards;

''(II) ensure that each driver has a valid and appropriate license, as provided by State law, to operate the vehicle; and

''(III) have an insurance policy or a liability bond that is in effect which insures the employer against liability for damage to persons or property arising from the ownership, operation, or causing to be operated, of any vehicle used to transport any H–2A worker.

''(ii) AMOUNT OF INSURANCE REQUIRED.—The level of insurance required shall be determined by the Secretary of Labor pursuant to regulations to be issued under this subsection.

''(iii) EFFECT OF WORKERS' COMPENSATION COVERAGE.—If the employer of any H–2A worker provides workers' compensation coverage for such worker in the case of bodily injury or death as provided by State law, the following adjustments in the requirements of subparagraph (B)(i)(III) relating to having an insurance policy or liability bond apply:

''(I) No insurance policy or liability bond shall be required of the employer, if such workers are transported only under circumstances for which there is coverage under such State law.

''(II) An insurance policy or liability bond shall be required of the employer for circumstances under which coverage for the transportation of such workers is not provided under such State law.

''(c) COMPLIANCE WITH LABOR LAWS.—An employer shall assure that, except as otherwise provided in this section, the employer will comply with all applicable Federal, State, and local labor laws, including laws affecting migrant and seasonal agricultural workers, with respect to all United States workers and alien workers employed by the employer, except that a violation of this assurance shall not constitute a violation of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

''(d) COPY OF JOB OFFER.—The employer shall provide to the worker, not later than the day the work commences, a copy of the employer's application and job offer described in section 218(a), or, if the employer will require the worker to enter into a separate employment contract covering the employment in question, such separate employment contract.

''(e) RANGE PRODUCTION OF LIVESTOCK.—Nothing in this section, section 218, or section 218B shall preclude the Secretary of Labor and the Secretary from continuing to apply special procedures and requirements to the admission and employment of aliens in occupations involving the range production of livestock.

''SEC. 218B. PROCEDURE FOR ADMISSION AND EXTENSION OF STAY OF H–2A WORKERS.

''(a) PETITIONING FOR ADMISSION.—An employer, or an association acting as an agent or joint employer for its members, that seeks the admission into the United States of an H–2A worker may file a petition with the Secretary. The petition shall be accompanied by an accepted and currently valid certification provided by the Secretary of Labor under section 218(e)(2)(B) covering the petitioner.

''(b) EXPEDITED ADJUDICATION BY THE SECRETARY.—The Secretary shall establish a procedure for expedited adjudication of petitions filed under subsection (a) and within 7 working days shall, by fax, cable, or other means assuring expedited delivery, transmit a copy of notice of action on the petition to the petitioner and, in the case of approved petitions, to the appropriate immigration officer at the port of entry or United States consulate (as the case may be) where the petitioner has indicated that the alien beneficiary (or beneficiaries) will apply for a visa or admission to the United States.

''(c) CRITERIA FOR ADMISSIBILITY.—

''(1) IN GENERAL.—An H–2A worker shall be considered admissible to the United States if the alien is otherwise admissible under this section, section 218, and section 218A, and the alien is not ineligible under paragraph (2).

''(2) DISQUALIFICATION.—An alien shall be considered inadmissible to the United States and ineligible for nonimmigrant status under section 101(a)(15)(H)(ii)(a) if the alien has, at any time during the past 5 years—

''(A) violated a material provision of this section, including the requirement to promptly depart the United States when the alien's authorized period of admission under this section has expired; or

''(B) otherwise violated a term or condition of admission into the United States as a nonimmigrant, including overstaying the period of authorized admission as such a nonimmigrant.

''(3) WAIVER OF INELIGIBILITY FOR UNLAWFUL PRESENCE.—

''(A) IN GENERAL.—An alien who has not previously been admitted into the United States pursuant to this section, and who is otherwise eligible for admission in accordance with paragraphs (1) and (2), shall not be deemed inadmissible by virtue of section 212(a)(9)(B). If an alien described in the preceding sentence is present in the United States, the alien may apply from abroad for H–2A status, but may not be granted that status in the United States.

''(B) MAINTENANCE OF WAIVER.—An alien provided an initial waiver of ineligibility pursuant to subparagraph (A) shall remain eligible for such waiver unless the alien violates the terms of this section or again becomes ineligible under section 212(a)(9)(B) by virtue of unlawful presence in the United States after the date of the initial waiver of ineligibility pursuant to subparagraph (A).

''(d) PERIOD OF ADMISSION.—

''(1) IN GENERAL.—The alien shall be admitted for the period of employment in the application certified by the Secretary of Labor pursuant to section 218(e)(2)(B), not to exceed 10 months, supplemented by a period of not more than 1 week before the beginning of the period of employment for the purpose of travel to the worksite and a period of 14 days following the period of employment for the purpose of departure or extension based on a subsequent offer of employment, except that—

''(A) the alien is not authorized to be employed during such 14-day period except in the employment for which the alien was previously authorized; and

''(B) the total period of employment, including such 14-day period, may not exceed 10 months.

''(2) CONSTRUCTION.—Nothing in this subsection shall limit the authority of the Secretary to extend the stay of the alien under any other provision of this Act.

''(e) ABANDONMENT OF EMPLOYMENT.—

''(1) IN GENERAL.—An alien admitted or provided status under section 101(a)(15)(H)(ii)(a) who abandons the employment which was the basis for such admission or status shall be considered to have failed to maintain nonimmigrant status as an H–2A worker and shall depart the United States or be subject to removal under section 237(a)(1)(C)(i).

''(2) REPORT BY EMPLOYER.—The employer, or association acting as agent for the employer, shall notify the Secretary not later than 7 days after an H–2A worker prematurely abandons employment.

''(3) REMOVAL BY THE SECRETARY.—The Secretary shall promptly remove from the United States any H–2A worker who violates any term or condition of the worker's nonimmigrant status.

''(4) VOLUNTARY TERMINATION.—Notwithstanding paragraph (1), an alien may voluntarily terminate his or her employment if the alien promptly departs the United States upon termination of such employment.

''(f) REPLACEMENT OF ALIEN.—

''(1) IN GENERAL.—Upon presentation of the notice to the Secretary required by subsection (e)(2), the Secretary of State shall promptly issue a visa to, and the Secretary shall admit into the United States, an eligible alien designated by the employer to replace an H–2A worker—

''(A) who abandons or prematurely terminates employment; or

''(B) whose employment is terminated after a United States worker is employed pursuant to section 218(b)(2)(H)(iii), if the United States worker voluntarily departs before the end of the period of intended employment or if the employment termination is for a lawful job-related reason.

''(2) CONSTRUCTION.—Nothing in this subsection is intended to limit any preference required to be accorded United States workers under any other provision of this Act.

''(g) IDENTIFICATION DOCUMENT.—

''(1) IN GENERAL.—Each alien authorized to be admitted under section 101(a)(15)(H)(ii)(a) shall be provided an identification and employment eligibility document to verify eligibility for employment in the United States and verify the alien's identity.

''(2) REQUIREMENTS.—No identification and employment eligibility document may be issued which does not meet the following requirements:

''(A) The document shall be capable of reliably determining whether—

''(i) the individual with the identification and employment eligibility document whose eligibility is being verified is in fact eligible for employment;

''(ii) the individual whose eligibility is being verified is claiming the identity of another person; and

''(iii) the individual whose eligibility is being verified is authorized to be admitted into, and employed in, the United States as an H–2A worker.

''(B) The document shall be in a form that is resistant to counterfeiting and to tampering.

''(C) The document shall—

''(i) be compatible with other databases of the Secretary for the purpose of excluding aliens from benefits for which they are not eligible and determining whether the alien is unlawfully present in the United States; and

''(ii) be compatible with law enforcement databases to determine if the alien has been convicted of criminal offenses.

''(h) EXTENSION OF STAY OF H–2A ALIENS IN THE UNITED STATES.—

''(1) EXTENSION OF STAY.—If an employer seeks approval to employ an H–2A alien who is lawfully present in the United States, the petition filed by the employer or an association pursuant to subsection (a), shall request an extension of the alien's stay and a change in the alien's employment.

''(2) LIMITATION ON FILING A PETITION FOR EXTENSION OF STAY.—A petition may not be filed for an extension of an alien's stay—

''(A) for a period of more than 10 months; or

''(B) to a date that is more than 3 years after the date of the alien's last admission to the United States under this section.

''(3) WORK AUTHORIZATION UPON FILING A PETITION FOR EXTENSION OF STAY.—

''(A) IN GENERAL.—An alien who is lawfully present in the United States may commence the employment described in a petition under paragraph (1) on the date on which the petition is filed.

''(B) DEFINITION.—For purposes of subparagraph (A), the term 'file' means sending the petition by certified mail via the United States Postal Service, return receipt requested, or delivered by guaranteed commercial delivery which will provide the employer with a documented acknowledgment of the date of receipt of the petition.

''(C) HANDLING OF PETITION.—The employer shall provide a copy of the employer's petition to the alien, who shall keep the petition with the alien's identification and employment eligibility document as evidence that the petition has been filed and that the alien is authorized to work in the United States.

''(D) APPROVAL OF PETITION.—Upon approval of a petition for an extension of stay or change in the alien's authorized employment, the Secretary shall provide a new or updated employment eligibility document to the alien indicating the new validity date, after which the alien is not required to retain a copy of the petition.

''(4) LIMITATION ON EMPLOYMENT AUTHORIZATION OF ALIENS WITHOUT VALID IDENTIFICATION AND EMPLOYMENT ELIGIBILITY DOCUMENT.—An expired identification and employment eligibility document, together with a copy of a petition for extension of stay or change in the alien's authorized employment that complies with the requirements of paragraph (1), shall constitute a valid work authorization document for a period of not more than 60 days beginning on the date on which such petition is filed, after which time only a currently valid identification and employment eligibility document shall be acceptable.

''(5) LIMITATION ON AN INDIVIDUAL'S STAY IN STATUS.—

''(A) MAXIMUM PERIOD.—The maximum continuous period of authorized status as an H–2A worker (including any extensions) is 3 years.

''(B) REQUIREMENT TO REMAIN OUTSIDE THE UNITED STATES.—

''(i) IN GENERAL.—Subject to clause (ii), in the case of an alien outside the United States whose period of authorized status as an H–2A worker (including any extensions) has expired, the alien may not again apply for admission to the United States as an H–2A worker unless the alien has remained outside the United States for a continuous period equal to at least ⅕ the duration of the alien's previous period of authorized status as an H–2A worker (including any extensions).

''(ii) EXCEPTION.—Clause (i) shall not apply in the case of an alien if the alien's period of authorized status as an H–2A worker (including any extensions) was for a period of not more than 10 months and such alien has been outside the United States for at least 2 months during the 12 months preceding the date the alien again is applying for admission to the United States as an H–2A worker.

''(i) SPECIAL RULES FOR ALIENS EMPLOYED AS SHEEPHERDERS, GOAT HERDERS, OR DAIRY WORKERS.—Notwithstanding any provision of the Agricultural Job Opportunities, Benefits, and Security Act of 2009, an alien admitted under section 101(a)(15)(H)(ii)(a) for employment as a sheepherder, goat herder, or dairy worker—

''(1) may be admitted for an initial period of 12 months;

''(2) subject to subsection (j)(5), may have such initial period of admission extended for a period of up to 3 years; and

''(3) shall not be subject to the requirements of subsection (h)(5) (relating to periods of absence from the United States).

''(j) ADJUSTMENT TO LAWFUL PERMANENT RESIDENT STATUS FOR ALIENS EMPLOYED AS SHEEPHERDERS, GOAT HERDERS, OR DAIRY WORKERS.—

''(1) ELIGIBLE ALIEN.—For purposes of this subsection, the term 'eligible alien' means an alien—

''(A) having nonimmigrant status under section 101(a)(15)(H)(ii)(a) based on employment as a sheepherder, goat herder, or dairy worker;

''(B) who has maintained such nonimmigrant status in the United States for a cumulative total of 36 months (excluding any period of absence from the United States); and

''(C) who is seeking to receive an immigrant visa under section 203(b)(3)(A)(iii).

''(2) CLASSIFICATION PETITION.—In the case of an eligible alien, the petition under section 204 for classification under section 203(b)(3)(A)(iii) may be filed by—

''(A) the alien's employer on behalf of the eligible alien; or

''(B) the eligible alien.

''(3) NO LABOR CERTIFICATION REQUIRED.—Notwithstanding section 203(b)(3)(C), no determination under section 212(a)(5)(A) is required with respect to an immigrant visa described in paragraph (1)(C) for an eligible alien.

''(4) EFFECT OF PETITION.—The filing of a petition described in paragraph (2) or an application for adjustment of status based on the approval of such a petition shall not constitute evidence of an alien's ineligibility for nonimmigrant status under section 101(a)(15)(H)(ii)(a).

''(5) EXTENSION OF STAY.—The Secretary shall extend the stay of an eligible alien having a pending or approved classification petition described in paragraph (2) in 1-year increments until a final determination is made on the alien's eligibility for adjustment of status to that of an alien lawfully admitted for permanent residence.

''(6) CONSTRUCTION.—Nothing in this subsection shall be construed to prevent an eligible alien from seeking adjustment of status in accordance with any other provision of law.

"SEC. 218C. WORKER PROTECTIONS AND LABOR STANDARDS ENFORCEMENT.

''(a) ENFORCEMENT AUTHORITY.—

''(1) INVESTIGATION OF COMPLAINTS.—

''(A) AGGRIEVED PERSON OR THIRD-PARTY COMPLAINTS.—The Secretary of Labor shall establish a process for the receipt, investigation, and disposition of complaints respecting a petitioner's failure to meet a condition specified in section 218(b), or an employer's misrepresentation of material facts in an application under section 218(a). Complaints may be filed by any aggrieved person or organization (including bargaining representatives). No investigation or hearing shall be conducted on a complaint concerning such a failure or misrepresentation unless the complaint was filed not later than 12 months after the date of the failure, or misrepresentation, respectively. The Secretary of Labor shall conduct an investigation under this subparagraph if there is reasonable cause to believe that such a failure or misrepresentation has occurred.

''(B) DETERMINATION ON COMPLAINT.—Under such process, the Secretary of Labor shall provide, within 30 days after the date such a complaint is filed, for a determination as to whether or not a reasonable basis exists to make a finding described in subparagraph (C), (D), (E), or (G). If the Secretary of Labor determines that such a reasonable basis exists, the Secretary of Labor shall provide for notice of such determination to the interested parties and an opportunity for a hearing on the complaint, in accordance with section 556 of title 5, United States Code, within 60 days after the date of the determination. If such a hearing is requested, the Secretary of Labor shall make a finding concerning the matter not later than 60 days after the date of the hearing. In the case of similar complaints respecting the same applicant, the Secretary of Labor may consolidate the hearings under this subparagraph on such complaints.

''(C) FAILURES TO MEET CONDITIONS.—If the Secretary of Labor finds, after notice and opportunity for a hearing, a failure to meet a condition of paragraph (1)(A), (1)(B), (1)(D), (1)(F), (2)(A), (2)(B), or (2)(G) of section 218(b), a substantial failure to meet a condition of paragraph (1)(C), (1)(E), (2)(C), (2)(D), (2)(E), or (2)(H) of section 218(b), or a material misrepresentation of fact in an application under section 218(a)—

''(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed $1,000 per violation) as the Secretary of Labor determines to be appropriate; and

''(ii) the Secretary may disqualify the employer from the employment of aliens described in section 101(a)(15)(H)(ii)(a) for a period of 1 year.

''(D) WILLFUL FAILURES AND WILLFUL MISREPRESENTATIONS.—If the Secretary of Labor finds, after notice and opportunity for hearing, a willful failure to meet a condition of section 218(b), a willful misrepresentation of a material fact in an application under section 218(a), or a violation of subsection (d)(1)—

''(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed $5,000 per violation) as

the Secretary of Labor determines to be appropriate;

''(ii) the Secretary of Labor may seek appropriate legal or equitable relief to effectuate the purposes of subsection (d)(1); and

''(iii) the Secretary may disqualify the employer from the employment of H–2A workers for a period of 2 years.

''(E) DISPLACEMENT OF UNITED STATES WORKERS.—If the Secretary of Labor finds, after notice and opportunity for hearing, a willful failure to meet a condition of section 218(b) or a willful misrepresentation of a material fact in an application under section 218(a), in the course of which failure or misrepresentation the employer displaced a United States worker employed by the employer during the period of employment on the employer's application under section 218(a) or during the period of 30 days preceding such period of employment—

''(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed $15,000 per violation) as the Secretary of Labor determines to be appropriate; and

''(ii) the Secretary may disqualify the employer from the employment of H–2A workers for a period of 3 years.

''(F) LIMITATIONS ON CIVIL MONEY PENALTIES.—The Secretary of Labor shall not impose total civil money penalties with respect to an application under section 218(a) in excess of $90,000.

''(G) FAILURES TO PAY WAGES OR REQUIRED BENEFITS.—If the Secretary of Labor finds, after notice and opportunity for a hearing, that the employer has failed to pay the wages, or provide the housing allowance, transportation, subsistence reimbursement, or guarantee of employment, required under section 218A(b), the Secretary of Labor shall assess payment of back wages, or other required benefits, due any United States worker or H–2A worker employed by the employer in the specific employment in question. The back wages or other required benefits under section 218A(b) shall be equal to the difference between the amount that should have been paid and the amount that actually was paid to such worker.

''(2) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as limiting the authority of the Secretary of Labor to conduct any compliance investigation under any other labor law, including any law affecting migrant and seasonal agricultural workers, or, in the absence of a complaint under this section, under section 218 or 218A.

''(b) RIGHTS ENFORCEABLE BY PRIVATE RIGHT OF ACTION.—H–2A workers may enforce the following rights through the private right of action provided in subsection (c), and no other right of action shall exist under Federal or State law to enforce such rights:

''(1) The providing of housing or a housing allowance as required under section 218A(b)(1).

''(2) The reimbursement of transportation as required under section 218A(b)(2).

''(3) The payment of wages required under section 218A(b)(3) when due.

''(4) The benefits and material terms and conditions of employment expressly provided in the job offer described in section 218(a)(2), not including the assurance to comply with other Federal, State, and local labor laws described in section 218A(c), compliance with which shall be governed by the provisions of such laws.

''(5) The guarantee of employment required under section 218A(b)(4).

''(6) The motor vehicle safety requirements under section 218A(b)(5).

''(7) The prohibition of discrimination under subsection (d)(2).

''(c) PRIVATE RIGHT OF ACTION.—

''(1) MEDIATION.—Upon the filing of a complaint by an H–2A worker aggrieved by a violation of rights enforceable under subsection (b), and within 60 days of the filing of proof of service of the complaint, a party to the action may file a request with the Federal Mediation and Conciliation Service to assist the parties in reaching a satisfactory resolution of all issues involving all parties to the dispute. Upon a filing of such request and giving of notice to the parties, the parties shall attempt mediation within the period specified in subparagraph (B).

''(A) MEDIATION SERVICES.—The Federal Mediation and Conciliation Service shall be available to assist in resolving disputes arising under subsection (b) between H–2A workers and agricultural employers without charge to the parties.

''(B) 90-DAY LIMIT.—The Federal Mediation and Conciliation Service may conduct mediation or other nonbinding dispute resolution activities for a period not to exceed 90 days beginning on the date on which the Federal Mediation and Conciliation Service receives the request for assistance unless the parties agree to an extension of this period of time.

''(C) AUTHORIZATION.—

''(i) IN GENERAL.—Subject to clause (ii), there are authorized to be appropriated to the Federal Mediation and Conciliation Service $500,000 for each fiscal year to carry out this section.

''(ii) MEDIATION.—Notwithstanding any other provision of law, the Director of the Federal Mediation and Conciliation Service is authorized to conduct the mediation or other dispute resolution activities from any other appropriated funds available to the Director and to reimburse such appropriated funds when the funds are appropriated pursuant to this authorization, such reimbursement to be credited to appropriations currently available at the time of receipt.

''(2) MAINTENANCE OF CIVIL ACTION IN DISTRICT COURT BY AGGRIEVED PERSON.—An H–2A worker aggrieved by a violation of rights enforceable under subsection (b) by an agricultural employer or other person may file suit in any district court of the United States having jurisdiction over the parties, without regard to the amount in controversy, without regard to the citizenship of the parties, and without regard to the exhaustion of any alternative administrative remedies under this Act, not later than 3 years after the date the violation occurs.

''(3) ELECTION.—An H–2A worker who has filed an administrative complaint with the Secretary of Labor may not maintain a civil action under paragraph (2) unless a complaint based on the same violation filed with the Secretary of Labor under subsection (a)(1) is withdrawn before the filing of such action, in which case the rights and remedies available under this subsection shall be exclusive.

''(4) PREEMPTION OF STATE CONTRACT RIGHTS.—Nothing in this Act shall be construed to diminish the rights and remedies of an H–2A worker under any other Federal or State law or regulation or under any collective bargaining agreement, except that no court or administrative action shall be available under any State contract law to enforce the rights created by this Act.

''(5) WAIVER OF RIGHTS PROHIBITED.—Agreements by employees purporting to waive or modify their rights under this Act shall be void as contrary to public policy, except that a waiver or modification of the rights or obligations in favor of the Secretary of Labor shall be valid for purposes of the enforcement of this Act. The preceding sentence may not be construed to prohibit agreements to settle private disputes or litigation.

''(6) AWARD OF DAMAGES OR OTHER EQUITABLE RELIEF.—

''(A) If the court finds that the respondent has intentionally violated any of the rights enforceable under subsection (b), it shall award actual damages, if any, or equitable relief.

''(B) Any civil action brought under this section shall be subject to appeal as provided in chapter 83 of title 28, United States Code.

''(7) WORKERS' COMPENSATION BENEFITS; EXCLUSIVE REMEDY.—

''(A) Notwithstanding any other provision of this section, where a State's workers' compensation law is applicable and coverage is provided for an H–2A worker, the workers' compensation benefits shall be the exclusive remedy for the loss of such worker under this section in the case of bodily injury or death in accordance with such State's workers' compensation law.

''(B) The exclusive remedy prescribed in subparagraph (A) precludes the recovery under paragraph (6) of actual damages for loss from an injury or death but does not preclude other equitable relief, except that such relief shall not include back or front pay or in any manner, directly or indirectly, expand or otherwise alter or affect—

''(i) a recovery under a State workers' compensation law; or

''(ii) rights conferred under a State workers' compensation law.

''(8) TOLLING OF STATUTE OF LIMITATIONS.—If it is determined under a State workers' compensation law that the workers' compensation law is not applicable to a claim for bodily injury or death of an H–2A worker, the statute of limitations for bringing an action for actual damages for such injury or death under subsection (c) shall be tolled for the period during which the claim for such injury or death under such State workers' compensation law was pending. The statute of limitations for an action for actual damages or other equitable relief arising out of the same transaction or occurrence as the injury or death of the H–2A worker shall be tolled for the period during which the claim for such injury or death was pending under the State workers' compensation law.

''(9) PRECLUSIVE EFFECT.—Any settlement by an H–2A worker and an H–2A employer or any person reached through the mediation process required under subsection (c)(1) shall preclude any right of action arising out of the same facts between the parties in any Federal or State court or administrative proceeding, unless specifically provided otherwise in the settlement agreement.

''(10) SETTLEMENTS.—Any settlement by the Secretary of Labor with an H–2A employer on behalf of an H–2A worker of a complaint filed with the Secretary of Labor under this section or any finding by the Secretary of Labor under subsection (a)(1)(B) shall preclude any right of action arising out of the same facts between the parties under any Federal or State court or administrative proceeding, unless specifically provided otherwise in the settlement agreement.

''(d) DISCRIMINATION PROHIBITED.—

''(1) IN GENERAL.—It is a violation of this subsection for any person who has filed an application under section 218(a), to intimidate, threaten, restrain, coerce, blacklist, discharge, or in any other manner discriminate against an employee (which term, for purposes of this subsection, includes a former employee and an applicant for employment) because the employee has disclosed information to the employer, or to any other person, that the employee reasonably believes evidences a violation of section 218 or 218A or any rule or regulation pertaining to section 218 or 218A, or because the

employee cooperates or seeks to cooperate in an investigation or other proceeding concerning the employer's compliance with the requirements of section 218 or 218A or any rule or regulation pertaining to either of such sections.

''(2) DISCRIMINATION AGAINST H–2A WORKERS.—It is a violation of this subsection for any person who has filed an application under section 218(a), to intimidate, threaten, restrain, coerce, blacklist, discharge, or in any manner discriminate against an H–2A employee because such worker has, with just cause, filed a complaint with the Secretary of Labor regarding a denial of the rights enumerated and enforceable under subsection (b) or instituted, or caused to be instituted, a private right of action under subsection (c) regarding the denial of the rights enumerated under subsection (b), or has testified or is about to testify in any court proceeding brought under subsection (c).

''(e) AUTHORIZATION TO SEEK OTHER APPROPRIATE EMPLOYMENT.—The Secretary of Labor and the Secretary shall establish a process under which an H–2A worker who files a complaint regarding a violation of subsection (d) and is otherwise eligible to remain and work in the United States may be allowed to seek other appropriate employment in the United States for a period not to exceed the maximum period of stay authorized for such nonimmigrant classification.

''(f) ROLE OF ASSOCIATIONS.—

''(1) VIOLATION BY A MEMBER OF AN ASSOCIATION.—An employer on whose behalf an application is filed by an association acting as its agent is fully responsible for such application, and for complying with the terms and conditions of sections 218 and 218A, as though the employer had filed the application itself. If such an employer is determined, under this section, to have committed a violation, the penalty for such violation shall apply only to that member of the association unless the Secretary of Labor determines that the association or other member participated in, had knowledge, or reason to know, of the violation, in which case the penalty shall be invoked against the association or other association member as well.

''(2) VIOLATIONS BY AN ASSOCIATION ACTING AS AN EMPLOYER.—If an association filing an application as a sole or joint employer is determined to have committed a violation under this section, the penalty for such violation shall apply only to the association unless the Secretary of Labor determines that an association member or members participated in or had knowledge, or reason to know of the violation, in which case the penalty shall be invoked against the association member or members as well.

''SEC. 218D. DEFINITIONS.

''For purposes of this section and section 218, 218A, 218B, and 218C:

''(1) AGRICULTURAL EMPLOYMENT.—The term 'agricultural employment' means any service or activity that is considered to be agricultural under section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)) or agricultural labor under section 3121(g) of the Internal Revenue Code of 1986 or the performance of agricultural labor or services described in section 101(a)(15)(H)(ii)(a).

''(2) BONA FIDE UNION.—The term 'bona fide union' means any organization in which employees participate and which exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or other terms and conditions of work for agricultural employees. Such term does not include an organization formed, created, administered, supported, dominated, financed, or controlled by an employer or employer association or its agents or representatives.

''(3) DISPLACE.—The term 'displace', in the case of an application with respect to 1 or more H–2A workers by an employer, means laying off a United States worker from a job for which the H–2A worker or workers is or are sought.

''(4) ELIGIBLE.—The term 'eligible', when used with respect to an individual, means an individual who is not an unauthorized alien (as defined in section 274A).

''(5) EMPLOYER.—The term 'employer' means any person or entity, including any farm labor contractor and any agricultural association, that employs workers in agricultural employment.

''(6) H–2A EMPLOYER.—The term 'H–2A employer' means an employer who seeks to hire 1 or more nonimmigrant aliens described in section 101(a)(15)(H)(ii)(a).

''(7) H–2A WORKER.—The term 'H–2A worker' means a nonimmigrant described in section 101(a)(15)(H)(ii)(a).

''(8) JOB OPPORTUNITY.—The term 'job opportunity' means a job opening for temporary or seasonal full-time employment at a place in the United States to which United States workers can be referred.

''(9) LAYING OFF.—

''(A) IN GENERAL.—The term 'laying off', with respect to a worker—

''(i) means to cause the worker's loss of employment, other than through a discharge for inadequate performance, violation of workplace rules, cause, voluntary departure, voluntary retirement, contract impossibility (as described in section 218A(b)(4)(D)), or temporary suspension of employment due to weather, markets, or other temporary conditions; but

''(ii) does not include any situation in which the worker is offered, as an alternative to such loss of employment, a similar employment opportunity with the same employer (or, in the case of a placement of a worker with another employer under section 218(b)(2)(E), with either employer described in such section) at equivalent or higher compensation and benefits than the position from which the employee was discharged, regardless of whether or not the employee accepts the offer.

''(B) STATUTORY CONSTRUCTION.—Nothing in this paragraph is intended to limit an employee's rights under a collective bargaining agreement or other employment contract.

''(10) REGULATORY DROUGHT.—The term 'regulatory drought' means a decision subsequent to the filing of the application under section 218 by an entity not under the control of the employer making such filing which restricts the employer's access to water for irrigation purposes and reduces or limits the employer's ability to produce an agricultural commodity, thereby reducing the need for labor.

''(11) SEASONAL.—Labor is performed on a 'seasonal' basis if—

''(A) ordinarily, it pertains to or is of the kind exclusively performed at certain seasons or periods of the year; and

''(B) from its nature, it may not be continuous or carried on throughout the year.

''(12) SECRETARY.—Except as otherwise provided, the term 'Secretary' means the Secretary of Homeland Security.

''(13) TEMPORARY.—A worker is employed on a 'temporary' basis where the employment is intended not to exceed 10 months.

''(14) UNITED STATES WORKER.—The term 'United States worker' means any worker, whether a national of the United States, an alien lawfully admitted for permanent residence, or any other alien, who is authorized to work in the job opportunity within the United States, except an alien admitted or otherwise provided status under section 101(a)(15)(H)(ii)(a).''.

(b) TABLE OF CONTENTS.—The table of contents of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by striking the item relating to section 218 and inserting the following:

''Sec. 218. H–2A employer applications.
''Sec. 218A. H–2A employment requirements.
''Sec. 218B. Procedure for admission and extension of stay of H–2A workers.
''Sec. 218C. Worker protections and labor standards enforcement.
''Sec. 218D. Definitions.''.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. DETERMINATION AND USE OF USER FEES.

(a) SCHEDULE OF FEES.—The Secretary shall establish and periodically adjust a schedule of fees for the employment of aliens pursuant to the amendment made by section 201(a) of this Act and a collection process for such fees from employers. Such fees shall be the only fees chargeable to employers for services provided under such amendment.

(b) DETERMINATION OF SCHEDULE.—

(1) IN GENERAL.—The schedule under subsection (a) shall reflect a fee rate based on the number of job opportunities indicated in the employer's application under section 218 of the Immigration and Nationality Act, as amended by section 201 of this Act, and sufficient to provide for the direct costs of providing services related to an employer's authorization to employ aliens pursuant to the amendment made by section 201(a) of this Act, to include the certification of eligible employers, the issuance of documentation, and the admission of eligible aliens.

(2) PROCEDURE.—

(A) IN GENERAL.—In establishing and adjusting such a schedule, the Secretary shall comply with Federal cost accounting and fee setting standards.

(B) PUBLICATION AND COMMENT.—The Secretary shall publish in the Federal Register an initial fee schedule and associated collection process and the cost data or estimates upon which such fee schedule is based, and any subsequent amendments thereto, pursuant to which public comment shall be sought and a final rule issued.

(c) USE OF PROCEEDS.—Notwithstanding any other provision of law, all proceeds resulting from the payment of the fees pursuant to the amendment made by section 201(a) of this Act shall be available without further appropriation and shall remain available without fiscal year limitation to reimburse the Secretary, the Secretary of State, and the Secretary of Labor for the costs of carrying out—

(1) sections 218 and 218B of the Immigration and Nationality Act, as amended and added, respectively, by section 201 of this Act; and

(2) the provisions of this Act.

SEC. 302. REGULATIONS.

(a) REQUIREMENT FOR THE SECRETARY TO CONSULT.—The Secretary shall consult with the Secretary of Labor and the Secretary of Agriculture during the promulgation of all regulations to implement the duties of the Secretary under this Act and the amendments made by this Act.

(b) REQUIREMENT FOR THE SECRETARY OF STATE TO CONSULT.—The Secretary of State shall consult with the Secretary, the Secretary of Labor, and the Secretary of Agriculture on all regulations to implement the duties of the Secretary of State under this Act and the amendments made by this Act.

(c) REQUIREMENT FOR THE SECRETARY OF LABOR TO CONSULT.—The Secretary of Labor shall consult with the Secretary of Agriculture and the Secretary on all regulations to implement the duties of the Secretary of Labor under this Act and the amendments made by this Act.

(d) DEADLINE FOR ISSUANCE OF REGULATIONS.—All regulations to implement the duties of the Secretary, the Secretary of State, and the Secretary of Labor created under sections 218, 218A, 218B, 218C, and 218D of the Immigration and Nationality Act, as amended or added by section 201 of this Act, shall take effect on the effective date of section 201 and shall be issued not later than 1 year after the date of enactment of this Act.

SEC. 303. REPORTS TO CONGRESS.

(a) ANNUAL REPORT.—Not later than September 30 of each year, the Secretary shall submit a report to Congress that identifies, for the previous year—

(1) the number of job opportunities approved for employment of aliens admitted under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)), and the number of workers actually admitted, disaggregated by State and by occupation;

(2) the number of such aliens reported to have abandoned employment pursuant to subsection (e)(2) of section 218B of such Act, as added by section 201;

(3) the number of such aliens who departed the United States within the period specified in subsection (d) of such section 218B;

(4) the number of aliens who applied for blue card status pursuant to section 101(a);

(5) the number of aliens who were granted such status pursuant section 101(a);

(6) the number of aliens who applied for an adjustment of status pursuant to section 103(a); and

(7) the number of aliens who received an adjustment of status pursuant section 103(a).

(b) IMPLEMENTATION REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a report that describes the measures being taken and the progress made in implementing this Act.

SEC. 304. EFFECTIVE DATE.

The amendments made by section 201 and section 301 shall take effect 1 year after the date of the enactment of this Act.

CHANGE TO WIN,
Washington, DC, May 14, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: The seven affiliated unions and six million members of Change to Win write to thank you for your continued leadership in reintroducing the ''AgJOBS'' bill (the Agricultural Job Opportunities, Benefits, and Security Act of 2009), and to pledge our full support for its enactment.

The effects of our broken immigration system on the labor market must be addressed. Farm workers and their families live in fear of deportation, and agricultural growers across the country face worker shortages. AgJOBS would enable farm workers to bargain for better working and living conditions and provide growers a legal stable labor supply by offering undocumented farm workers the chance to come out of the shadows and earn legal status by meeting stringent agricultural-work requirements. It is important that AgJOBS would also revise the H–2A agricultural guestworker program in a balanced manner.

This bipartisan bill is the product of congressional negotiations and an historic compromise between the United Farm Workers and major agribusiness employers. It also has the full support of hundreds of farmer, worker, and immigrant organizations. Its passage would be a substantial down payment on the kind of comprehensive immigration reform our country needs.

Sincerely,

Anna Burger, Chair, Change to Win, International Secretary-Treasurer, Service Employees International Union (SEIU); Edgar Romney, Secretary-Treasurer, Change to Win, Executive Vice President, UNITE HERE; Joseph Hansen, International President, United Food and Commerical Workers, International Union, UFCW); James Hoffa, General President, International Brotherhood of Teamsters (IBT); Geralyn Lutty, United Food and Commerical Workers International Union (UFCW).

Douglas J. McCarron, General President, United Brotherhood of Carpenters and Joiners of America (UBC); Terence M. O'Sullivan, General President, Laborer's International Union of North America (LIUNA); Bruce Raynor, General President, Unite Here; Arturo S. Rodriguez, President, United Farm Workers (UFW); Andrew L. Stern, International President, Service Employees International Union (SEIU).

LEADERSHIP CONFERENCE ON CIVIL RIGHTS,
Washington, DC, May 14, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition, we thank you for introducing the Agricultural Job Opportunities, Benefits and Security Act (''AgJOBS'') of 2009. We have strongly supported virtually identical versions of the AgJOBS bill in previous Congresses, and we look forward to working with your office and our other allies in the effort to move it forward in the 111th Congress.

AgJOBS would provide a legal, stable agricultural labor supply and, at the same time, give undocumented farmworkers the chance to come out of the shadows and earn legal immigration status a) by meeting a past-work requirement in American agriculture and b) through stringent future agricultural-work requirements. Giving farmworkers the ability to legalize their status is critical to enabling them to bargain for better working and living conditions. AgJOBS represents a balanced approach and is a tremendous improvement over the current H–2A agricultural guestworker program, thanks to the concessions made by all sides in this debate.

The treatment of farmworkers is a matter of great importance to the civil rights community. Whether it was Chinese immigrants in the 19th century, the 4.5 million braceros brought into the United States during the World War II era, or H–2A workers under the current program, guestworkers have long been the most vulnerable and poorly treated workers among us. Even today, they are subject to below poverty-level wages and a lack of coverage by basic labor standards that other American workers take for granted—and they lack the political and economic power to improve these conditions on their own. It is because of this that we speak up today for their rights, and strongly urge the enactment of AgJOBS.

Sincerely,

WADE HENDERSON,
President & CEO.

NANCY ZIRKIN,
Executive Vice President.

DAIRY FARMERS OF AMERICA,
May 12, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR FEINSTEIN: Last Congress, you showed extraordinary leadership in authoring the Agricultural Jobs, Opportunity, Benefits and Security Act (AgJobs), a bill which restructures and reforms the current H–2A temporary agricultural worker program to ensure a reliable and legal workforce for the agricultural community. On behalf of the nearly 18,000 members of Dairy Farmers of America, Inc. (DFA) we applaud your decision to reintroduce this important measure in the 111th Congress.

Dairy Farmers of America is a dairy marketing cooperative that serves and is owned by dairy farmers in 48 states. Our cooperative's success is built on the success of its producer-members, who raise their dairy herds and their families on family farms across the nation.

Immigrant labor plays a crucial role in contributing to the success of our members and the dairy industry as a whole. A large percentage of the hired workers on dairy farms of all sizes are immigrants. Unfortunately, unlike most other immigrant-dependent agricultural sectors, the dairy industry is currently blocked by the Department of Labor (DOL) from using the H–2A program because of the program's requirement that the worker and job both be temporary or seasonal. This seasonality aspect of the H–2A program has prevented dairy farmers from using the program to attract and maintain needed workers. In order to survive, our industry needs reform in the system now.

Once again, on behalf of DFA members across the country, we appreciate your leadership on this matter and stand ready to fight for its passage.

Sincerely,

JOHN WILSON,
Senior Vice President, Marketing and Industry Affairs.

U.S. APPLE ASSOCIATION,
Vienna, VA, May 11, 2009.

Hon. DIANNE FEINSTEIN,
Hart Building, U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN, thank you for standing up for the U.S. apple industry and other labor intensive agriculture by reintroducing the AgJOBS bill in the Senate.

Apple production and harvesting is highly labor-intensive. The cost and availability of a predictable, consistent and legal supply of labor is critically important to the U.S. apple industry.

The past few years have brought great uncertainty to our industry. Labor shortages coupled with increased enforcement and a cumbersome, unworkable H–2A guest worker program have meant that, even in good crop years, growers' livelihoods are in jeopardy when they cannot get all of their apples off the tree. This has lead many in the industry to delay or cancel plans to expand and in some cases to get out of the fruit business altogether.

We need AgJOBS! Without this critical legislation, the U.S. could lose much of our domestic apple industry and with it over $2 billion in farm gate value. Our apples would have to be imported, most likely from China, the world's largest producer of apples. We've seen what dependence on foreign oil has been like. Can you imagine dependence on foreign food? This is not what American consumers want.

USApple and our industry leaders stand ready to work with you and your staff to pass AgJOBS. We have supported the legislation since the first year it was introduced and it is our top legislative priority.

Thank you again for your leadership on this critical issue.

Sincerely,

NANCY E. FOSTER,
President & CEO.

SOCIETY OF AMERICAN FLORISTS,
MAY 12, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: On behalf of the members of the Society of American Florists (SAF), I understand that you plan to reintroduce the Agricultural Job Opportunities, Benefits and Security Act (AgJOBS) this week. We applaud you for your courageous leadership and tenacity in working to advance agricultural labor reform. AgJOBS reflects years of negotiations on complex and contentious issues and will achieve historic and critical reforms to our nation's labor and immigration laws.

The bipartisan AgJOBS legislation recognizes the unique and urgent need of labor intensive agricultural industries—ranging from floral and nursery to fruits and vegetables, meat and dairy farms—to have access to a legal workforce. Thank you for recognizing these needs and taking the lead to change the untenable status quo. Your efforts on behalf of agriculture will go far to preserve one of our country's strategic commodities—a stable and reliable labor supply that produces our food and helps to sustain our economy.

An estimated two-thirds of farm workers lack proper work authorization. No other segment of the economy is so dependent upon a foreign-born workforce. Our industry is also vulnerable to the increased workplace immigration enforcement focused on employers. In addition, several pending regulatory enforcement mechanisms like the ''no-match'' rule and ''E-Verify'' mandate an immediate legislative solution to the labor problems of agriculture.

Agricultural economists estimate that three non-farm jobs in the upstream and downstream economy are sustained by every farm worker job. Absent the reforms of AgJOBS, many of these jobs will be lost because agricultural producers will have no choice but to cut back or send some of their production offshore.

In addition, AgJOBS will contribute to increasing national security by enhancing the rule of law. In the short term, those eligible to earn legal status must come forward, submit to a background check and make substantial commitment to agricultural work prospectively. This ability to retain our trained workforce will lead to a long-term solution so that capacity can be built to allow greater participation in a reformed H–2A program.

Finally, the bipartisan AgJOBS continues to have the endorsement and support of organized labor, agriculture, immigrant rights and religious community groups, and general business, through three Congresses.

Thank you for your leadership and vision on this vital issue. We look forward to working with you in the months ahead to enact AgJOBS.

The Society of American Florists is the national trade association representing the entire floriculture industry, a $21 billion component of the U.S. economy at retail. Membership includes about 10,000 small businesses, including growers, wholesalers, retailers, importers and related organizations, located in communities nationwide and abroad. The industry produces and sells cut flowers and foliage, foliage plants, potted flowering plants, and bedding plants.

Sincerely,

KEVIN PRIEST,
Chairman, Government Relations Committee.

AMERICAN NURSERY & LANDSCAPE ASSOCIATION,
Washington, DC, May 12, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: The American Nursery & Landscape Association commends you for your steadfast leadership toward resolving the labor crisis that threatens every labor-intensive sector of agriculture in America. ANLA represents 2000 active member firms and an additional 20,000 grassroots network participants who grow, sell, and install landscape plants. ANLA members also produce the orchard and vineyard planting stock that sustains farms in California and across the nation. At farmgate, our industry was valued by the U.S. Department of Agriculture at over $16 billion in 2007. California is of course the nation's leading nursery stock producer, but nurseries are an important agricultural component from coast to coast. Nursery and greenhouse production ranks among the top five sectors of agriculture in 28 states, and in the top 10 in all 50 states!

Nursery farming is inherently labor intensive and requires specialized skills. As with the rest of agriculture, much of the nursery workforce is comprised of foreign workers; their labor here contributes immensely to the American economy and secures the continued employment of hundreds of thousands of nursery farm managers, office, marketing, sales, and other staff—good American jobs that will move to Canada or Mexico or China if we do not have a stable and legal workforce performing the nursery work that cannot be readily mechanized.

ANLA has long supported AgJOBS because its bipartisan, common-sense reforms reflect how our country and our Congress must confront and solve myriad tough challenges. AgJOBS recognizes the unique experience and talent of the farm labor force that is here, now, feeding America, and encourages these workers to continue contributing to the well-being of our nation as they earn their way to a brighter future. AgJOBS also provides a lasting solution through a sweeping overhaul of the H–2A program. Indeed, we could not support a bill that fails to provide a lasting solution. Many ANLA members now use H–2A and many more will be able to when the reforms of AgJOBS are enacted.

Senator, we have shared a difficult journey, and the journey is far from complete. We look forward to the enactment of the urgently-needed reforms of AgJOBS, whether as part of a much broader effort to reform America's failing immigration system, or as part of a strategic first step. Again, thank you for your leadership.

Sincerely,

ROBERT J. DOLIBOIS, CAE,
Executive Vice President.
CRAIG J. REGELBRUGGE,
Vice President for Government Relations.

AMERICAS MAJORITY,
Overland Park, KS, May 11, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: I would like to commend you on the AgJobs Act of 2009, a piece of legislation crucial to maintaining America's position in an increasingly internationalized market in vegetables, fruits, and grains. The bill is a paradigm of what immigration reform should be—friendly alike to families and businesses, but mindful of the needs of public safety.

It is well known to those who represent agricultural constituents that foreign migrant workers are crucial to American farmers, ranchers, and foresters. What is less understood is the vast network of white collar jobs that depend on maintaining access to guest workers in America. Roughly one half of the agricultural labor force consists of those who work with crops in field, nurseries, and greenhouses. The rest, as the Bureau of Labor Statistics NAICS codes reveal, represent a cross section of American skills: Managers in production, finance, transportation, and sales; computer programmers and systems analysts; accountants and auditors; life scientists and agricultural engineers; pilots and truck drivers, riggers and diesel mechanics; salesmen, secretaries and receptionists—an entire world of white collar jobs on American soil, much of it dependent on the competitive nature of our operations in the fields, nurseries, and greenhouses.

It has become fashionable in some circles to pretend that the exclusion of foreign workers from America's farms will relieve American farmers of their competition. This is not so. It is possible, had one the heart for it, to remove Mexican nationals from American fields—but we cannot remove Argentinians from Argentina, Brazilians from Brazil, or Malaysians from Malaysia. A healthy agricultural industry requires access to all types of labor, including field labor, on a competitive basis, here in America.

We hope you will succeed in moving AgJobs 2009 to keep American agriculture competitive.

Best,

RICHARD NADLER,
President.

MAY 11, 2009.

Senator DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: I am writing out of deep concern for the future of the agricultural industry in California, and the U.S. generally. For reasons set forth more fully below, it is imperative that Congress pass legislation this year, such as AgJOBS, that will provide agriculture with a stable, reliable and legal workforce.

As you know, California agriculture relies upon a large immigrant workforce. The current economic crisis and rampant unemployment has only confirmed what you and our industry have been saying for years: American workers will not do these jobs. Despite staggering job losses, there has been no perceptible shift in the demographic makeup of our workforce. Today, as always, our industry relies on a community of talented immigrant farmworkers. They are the best farmworkers in the world, and our industry would cease to exist without them.

Honest employers who do not intend to hire illegal immigrants, but unknowingly do when employees provide them with false but genuine-appearing employment verification documents, stand beneath the proverbial Sword of Damocles, never knowing if their workforce—or they themselves—will be hauled off by federal agents. Where should agricultural employers look to find labor when Americans won't do the job and the ones that will are largely falsely documented? The answer is not the current H–2A program, which is notoriously cumbersome, uneconomical and prone to litigation.

I submit that the best opportunity to solve the farm labor issues in California and the U.S. is AgJOBS. AgJOBS would provide workable and fair legal channels for farmworkers to enter the country, work, and return home after completing the season. At the same time, there is a clear and compelling need for experienced farmworkers who lack legal status to be given a chance to earn legal status over time, subject to reasonable conditions.

California's $32 billion dollar agricultural industry produces one-half of the nation's fruits, vegetables and tree nuts. Without the passage and implementation of AgJOBS, California and the nation will continue to export farms along with the field jobs and three to four upstream and downstream jobs that are created in the agricultural industry. Furthering U.S. dependency on imported crops from countries such as China is not only dangerous for our health, it is devastating to our economy.

It is imperative that AgJOBS pass this year. On behalf of Western Growers, I urge you to introduce AgJOBS in the Senate as soon as possible, as this legislation must not be delayed any longer.

Sincerely,

THOMAS A. NASSIF,
President and CEO,
Western Growers.

UNITED FARM WORKERS,
Keene, CA, May 14, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: Thank you for your leadership on the Agricultural Job Opportunities, Benefits, and Security Act (''AgJOBS'').

As you are well-aware, the status quo for farmworkers and agricultural employers is untenable and must be reformed. The majority of farmworkers lack immigration status. Because they live and work in the shadows, undocumented farmworkers are too fearful to complain about violations of their wages and working conditions and are vulnerable to exploitation by labor contractors and growers. The wages of all farmworkers are depressed by the presence of so many employees who lack any meaningful bargaining power. The ability to legalize the immigration status of farmworkers under AgJOBS is key to enabling farmworkers to bargain for better working and living conditions.

With this letter are just a few stories of farmworkers and their families who will be helped by the passage of AgJOBS. The United Farm Workers collected these stories from farmworkers and farmworker groups and unions throughout the country. There are thousands more like them.

Thank you for your continued leadership and commitment to AgJOBS. We look forward to working with you to achieve this desperately needed reform.

Sincerely,

ARTURO S. RODRIGUEZ,
President

THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE,
Washington, DC, May 11, 2009.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: The National Association of State Departments of Agriculture (NASDA) is a nonprofit nonpartisan association that represents the Commissioners, Secretaries and Directors of Agriculture in the 50 states and for US territories. NASDA supports the Agricultural Job Opportunity, Benefits and Security Act of 2009 (AgJOBS).

As leaders in agriculture, we recognize that a critical workforce need exists today in agriculture. Millions of American jobs depend on agricultural production and will be enhanced with legislation that can secure a legal work force for agriculture as well as regularize the status of current agricultural workers through an adjustment program problem. Farmers in most regions of the United States have faced critical shortages of entry level workers for many years. AgJOBS is a solution for workers and agriculture producers.

NASDA has carefully considered the farm labor issue and has concluded that Congress needs to enact immigration reform legislation that provides workable and fair legal channels for farmworkers to enter the country, work, and return home when the season is over. The best opportunity to achieve both of these goals is the bipartisan and time-tested AgJOBS.

NASDA's current policy on agricultural labor is consistent with the objectives of the AgJOBS legislation. NASDA policy addresses four areas of concern to all agricultural industries: concern for the basic rights of all agricultural workers, recognition that the current H2A program does not serve as a viable means for addressing gaps in the local workforce, the need for a trustworthy identification system for non-citizen workers, and the need to regularize the status of the existing workforce during a transition to a more transparent and enforceable means of meeting basic workforce needs.

We greatly appreciate your support and reintroduction of this important legislation.

RON SPARKS,
NASDA President, Commissioner,
Alabama Department of Agriculture & Industries.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, DC, May 14, 2009.

TO THE MEMBERS OF THE UNITED STATES SENATE: The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, supports the ''Agricultural Job Opportunity, Benefits, and Security Act of 2009'' (AgJOBS), which is expected to be introduced today.

The Chamber supports a comprehensive solution to fixing America's broken immigration system and believes that AgJOBS is a step towards that goal and one that can be taken now. One of the bill's most important attributes is that it provides a reasonable mechanism for the most experienced, but unauthorized agricultural workers to earn legal status subject to strict conditions.

Agriculture is a sector that is highly sensitive to foreign competition. Forcing much of U.S. agricultural production offshore through an enforcement-only approach to immigration policy is resulting in significant loss of American jobs and leaving the United States less secure. The U.S. agriculture sector is the most reliant on the foreign-born labor supply. However, each farmworker sustains jobs in the upstream and downstream economy—equipment, supplies and services, packaging and distribution, lending and insurance.

The bipartisan AgJOBS is the fruit of years of hard work by business and labor, conservatives and liberals, Republicans and Democrats alike. The Chamber urges your support for enactment of AgJOBS, this year.

Sincerely,

R. BRUCE JOSTEN,
Executive Vice President, Government Affairs.

AGRICULTURE COALITION FOR IMMIGRATION REFORM—MEMBERS AND SUPPORTERS

AgriMark Inc; Agri-Placement Services; Allied Federated Co-Ops, Inc; Allied Grape Growers; Almond Hullers and Processors; American Agri-Women; American Frozen Foods Institute; American Horse Council; American Mushroom Institute; American Nursery & Landscape Association; American Sheep Industry Association; CoBank; Council of Northeast Farmer Cooperatives; Dairy Farmers of America; Dairylea Cooperative, Incorporated; Farwest Equipment Dealers Association; Federation of Employers and Workers of America; Gulf Citrus Growers Association; Irrigation Association; Land O' Lakes.

National Association of State Departments of Agriculture; National Cattlemen's Beef Association; National Christmas Tree Association; National Cotton Ginners Association; National Council of Agricultural Employers; National Council of Farmer Cooperatives; National Farmers Union; National Greenhouse Manufacturers Association; National Milk Producers Federation; National Potato Council; National Watermelon Association; New England Apple Council; Nisei Farmers League; Northeast Dairy Producers; Northern Christmas Tree Growers; Northeast Farm Credit; Northwest Farm Credit Services; Northwest Horticultural Council; OFA—An Association of Floriculture Professionals; Pacific Northwest Christmas Tree Association.

Pacific Tomato Growers; Perennial Plant Association; Produce Marketing Association; Pro-Fac Cooperative; Raisin Bargaining Association; Rocky Mountain Farmers Union; Senseny South Corporation; Snake River Farmers Association; Society of American Florists; Southeast Cotton Ginners Association, Inc; Southeast Dairy Farmers Association; Southern Christmas Tree Association; Southern Cotton Ginners Association; Southern Nursery Association; Turfgrass Producers International; United Agribusiness League; United Egg Association; United Egg Producers; United Fresh Produce Association; U.S. Apple Association.

U.S. Custom Harvesters Association; Western Growers; Western Plant Health Association; Western Range Association; Western United Dairymen; WineAmerica; Wine Grape Growers of America; Wine Institute; Agricultural Affiliates (New York); Agricultural Council of California; Alabama Nursery & Landscape Association; Alabama Watermelon Association; Arizona Nursery Association; Arkansas Green Industry Association; Blue Diamond Growers; California Apple Commission; California-Arizona Watermelon Association; California Avocado Commission; California Association of Nurseries and Garden Centers; California Association of Wine Grape Growers.

California Canning Peach Association; California Citrus Mutual; California Dairies Inc; California Dried Plum Board; California Farm Bureau Federation; California Fig Institute; California Floral Council; California Grain and Feed Association; California Grape and Tree Fruit League; California League of Food Processors; California Pear Growers Association; California Seed Association; California Strawberry Commission; California Strawberry Nurserymens' Association; California Walnut Commission; California Women for Agriculture; Nursery Growers Association (CA); Olive Grower Council of California; Pacific Egg and Poultry Association; Sunmaid Growers of California.

Sunsweet Growers Inc.; Valley Fig; Ventura County Agricultural Association; Associated Landscape Contractors of Colorado; Colorado Nursery & Greenhouse Association; Colorado Potato Administrative Committee; Colorado Sugarbeet Growers Association; Colorado Wine Industry Development Board; Connecticut Nursery & Landscape Association; Florida Citrus Mutual; Florida Citrus Packers; Florida Fruit and Vegetable Association; Florida Nursery, Growers & Landscape Association; Florida Watermelon Association; Georgia Green Industry Association; Georgia Milk Producers; Georgia Watermelon Association; Winegrowers Association

of Georgia; Idaho Apple Commission; Idaho Dairymen's Association.

Idaho Dairy Producers Assn.; Idaho Grower Shippers Association; Idaho Nursery & Landscape Association; Idaho-Oregon Fruit and Vegetable Association; Potato Growers of Idaho; Illinois Grape Growers and Vintners Association; Illinois Landscape Contractors Association; Illinois Nurserymen's Association; Illinois Specialty Growers Association; Indiana-Illinois Watermelon Association; Indiana Nursery & Landscape Association; Iowa Nursery and Landscape Association; Kansas Nursery and Landscape Association; Kentucky Nursery & Landscape Association; Farm Credit of Maine; Maine Nursery & Landscape Association; Maryland-Delaware Watermelon Association; Maryland Nursery & Landscape Association; Associated Landscape Contractors of Massachusetts; Massachusetts Nursery & Landscape Association.

Michigan Apple Committee; Michigan Blueberry Growers; Michigan Christmas Tree Association; Michigan Green Industry Association; Michigan Horticultural Society; Michigan Nursery and Landscape Association; Michigan Vegetable Council; WineMichigan; Minnesota Nursery & Landscape Association; Mississippi Nursery Association; Missouri-Arkansas Watermelon Association; Missouri Landscape & Nursery Association; Montana Nursery & Landscape Association; Nebraska Nursery & Landscape Association; New England Nursery Association; New Jersey Nursery & Landscape Association; Dairy Producers of New Mexico; Cayuga Marketing; Farm Credit of Western New York; First Pioneer Farm Credit.

New York Apple Association; New York Horticulture Society; New York State Nursery & Landscape Association; New York State Vegetable Growers Association; ProFac Cooperative; Yankee Farm Credit; North Carolina Association of Nurserymen; North Carolina Christmas Tree Association; North Carolina Commercial Flower Growers Association; North Carolina Farm Bureau Federation; North Carolina Greenhouse Vegetable Growers Association; North Carolina Green Industry Association; North Carolina Potato Association; North Carolina Strawberry Association; North Carolina Watermelon Association; North Carolina Wine & Grape Council; Northern California Growers Association; North Dakota Nursery & Greenhouse Association; Northern Ohio Growers Association; Nursery Growers of Lake County Ohio, Inc.

Ohio Fruit Growers Society; Ohio Nursery & Landscape Association; Ohio Vegetable & Potato Growers Association; Oklahoma Greenhouse Growers Association; Oklahoma State Nursery & Landscape Association; Hood River Grower-Shipper Association; Oregon Association of Nurseries; Oregon Wine Board; Pennsylvania Landscape & Nursery Association; State Horticultural Association of Pennsylvania;

Raisin Bargaining Association; Rhode Island Nursery and Landscape Association; Snake River Farmers Association; South Carolina Greenhouse Growers Association; South Carolina Nursery & Landscape Association; South Carolina Watermelon Association; South Dakota Nursery & Landscape Association; Tennessee Nursery & Landscape Association; Lonestar Milk Producers; Plains Cotton Growers.

Select Milk Producers (TX); South Texas Cotton and Grain Association; Texas Agricultural Cooperative Council; Texas AgriWomen; Texas Association of Dairymen; Texas Cattle Feeders Association; Texas Citrus Mutual; Texas Cotton Ginners Association; Texas Grain Sorghum Producers Association; Texas Nursery & Landscape Association; Texas-Oklahoma Watermelon Association; Texas Poultry Federation; Texas Produce Export Association; Texas Produce Association; Texas Turf Producers Association; Texas Vegetable Association; Western Peanut Growers; Utah Dairymen's Association; Utah Nursery & Landscape Association; Vermont Apple Marketing Board.

Vermont Association of Professional Horticulturists; Frederick County Fruit Growers' Association (Virginia); Northern Virginia Nursery & Landscape Association; Southwest Virginia Nursery & Landscape Association; Virginia Apple Growers Association; Virginia Christmas Tree Growers Association; Virginia Nursery and Landscape Association; Wasco County Fruit & Produce League; Washington Association of Wine Grape Growers; Washington Growers Clearing House Association; Washington Growers League; Washington Potato & Onion Association; Washington State Potato Commission; Washington State Nursery & Landscape Association; Washington Wine Institute; West Virginia Nursery and Landscape Association; Wisconsin Christmas Tree Growers Association; Wisconsin Nursery Association; Wisconsin Landscape Federation; Wisconsin Sod Producers Association.

Mr. LEAHY. Mr. President, once again I am pleased to join Senator FEINSTEIN to introduce the Agricultural Job Opportunities, Benefits, and Security Act AgJOBS. Senator FEINSTEIN has been pursuing these important reforms for several years now, and I commend her dedication to this legislation, and to America's farmers. I join her and the other cosponsors of this legislation in strong support of America's agricultural industry and the men and women who work hard every day to keep our farms running.

In Vermont, as in many States across the country, farmers are feeling the effects of a scarce labor pool. This problem is particularly acute for the dairy industry, where the employment needs are year-round and require a significant investment from the farmer in terms of training and development. I have long been concerned about the dairy farmers' difficulties in trying to use the agricultural visa program. It simply makes no sense that the visa program dedicated to agriculture cannot be used by such an important arm of the industry.

I have long advocated for the dairy-specific provisions in the AgJOBS bill. I worked to include these protections for dairy farmers during Congress's last two debates on comprehensive reform, and it is time for the immigration law to accommodate the legitimate needs of the Nation's dairy farmers. The AgJOBS bill will change this. It would give dairy farmers needing workers the opportunity to lawfully hire foreign workers who can remain with their employers for a meaningful period of time.

The AgJOBS legislation contains other important reforms that will help all of America's farmers. The creation of a blue card for undocumented agricultural workers who have been working to keep our farms running and fields planted and harvested is the right thing to do. It is a targeted and limited proposal that will serve to help farmers and farm workers. I have said before that no American farmer should be forced to choose between his or her livelihood and obeying the law. In Vermont it is estimated that as many as 2000 undocumented workers work on dairy farms in the State. We can all agree that this is not an ideal situation—not for the farmer and not for the worker, and not for an overall immigration system that is in need of substantial repair.

By providing a mechanism for loyal undocumented foreign workers to come out of the shadows and into the sunlight of the protection of the law and the rights it will provide them, Congress can help begin a new day in American agriculture. No longer will farmers endure the waste and heartbreak of watching fields of crops rot for lack of workers to harvest. Workers will be able to contribute lawfully and openly to our Nation's agricultural industry, and integrate into their surrounding communities, adding to the fabric of our diverse American life. The need for this legislation is clear and present, and I hope that some who have stood in opposition to sensible immigration reform will recognize that hardworking farmers and their communities are as much the victims of their misguided obstructionism as are the immigrants they seek to punish. We will need the strong support in the Senate and from the Obama administration if we are to make these and other reforms to our immigration system. President Obama recognized the need for this legislation as a Senator when he was an original cosponsor last Congress. His leadership will be critical as we move forward.

Our bill contains other sensible provisions concerning the rights of workers, fair wages, and a streamlined process for farmers using the H–2A process. These are all important reforms that I am proud to support. Senator FEINSTEIN is committed to the Nation's farmers and those who work for them, and I am pleased to join her in support of these needed reforms.

Mr. SCHUMER. Mr. President, I also rise today in strong support of the Agricultural Jobs, Opportunity, Benefits, and Security Act of 2009, also known as AgJOBS.

The distinguished Senator from California has already eloquently explained what the AgJOBS bill is, what it seeks to accomplish and why America needs this Congress to pass AgJOBS as soon as possible.

I simply wish to briefly explain to the people of my home State of New York—as, their Senator—and to all of the American people, as chairman of the Senate Immigration Subcommittee, why I support AgJOBS and why I think they should support AgJOBS too.

Simply put, the status quo in our agricultural industry is unsustainable.

What is the status quo? All around my home State of New York, and across the country, family farmers are trying to do the right thing and operate lawful and successful farms.

Virtually every family farmer I have met in my travels across New York has aggressively tried to hire Americans to work in their nurseries, orchards, farms, and vineyards.

For instance, my friends in the Long Island Farm Bureau can tell you that more than half of their members pay more than $12–$15 per hour per worker, and actively seek to hire American workers, often arranging buses to recruit Americans into Long Island to work.

But what these family farmers are finding is that—even in this bad economy, even if they offer Americans twice or sometime three times the minimum wage and provide benefits—American workers simply won't stay in these jobs for more than a few days.

Why don't Americans want to stay in many of these agricultural jobs? Let me share with you the description of the working conditions for agricultural workers as provided by the Bureau of Labor Statistics in their 2008–2009 Occupational Outlook Handbook. Here is their description:

Much of the work of farmworkers and laborers on farms and ranches is physically strenuous and takes place outdoors in all kinds of weather.

Harvesting fruits and vegetables, for example, may require much bending, stooping, and lifting. Workers may have limited access to sanitation facilities while working in the field and drinking water may also be limited.

Farm work does not lend itself to a regular 40-hour workweek. Work cannot be delayed when crops must be planted or harvested or when animals must be sheltered and fed.

Long hours and weekend work is common in these jobs. For example, farmworkers and agricultural equipment operators may work 6- or 7-days a week during planting and harvesting seasons.

Many agricultural worker jobs are seasonal in nature, so some workers also do other jobs during slow seasons. Migrant farmworkers, who move from location to location as crops ripen, live an unsettled lifestyle, which can be stressful.

Farmworkers risk exposure to pesticides and other hazardous chemicals sprayed on crops or plants.

This is certainly not the description of a life most Americans would want for themselves, much less for their children. And so what the family farmers in New York experience is that even when Americans take these jobs, the vast majority quit after only a few days.

So who is stepping in to take many of these difficult agricultural jobs? Immigrants who need these jobs to support the families they left behind in their native country.

But the vast majority of the immigrants working in agricultural jobs are undocumented. For this reason, family farmers are often required to choose between hiring undocumented workers or going out of business.

AgJOBS solves this problem in a way that is fair to everyone.

AgJOBS requires current undocumented agricultural workers to pay a fine, pay their taxes, undergo thorough background checks, and legalize their status in order to keep their jobs. If these workers refuse to legalize their status, or have any kind of criminal record, they will be deported.

AgJOBS provides America's family farmers with access to legal workers and removes the burden on farmers to perform the role of Federal immigration enforcement officials.

But just as importantly, AgJOBS places increased penalties on farmers who hire illegal aliens and places penalties on farmers who provide poor working conditions for their employees. This will make it far likelier that Americans who want these jobs will stay in these jobs for longer periods of time.

For this reason, AgJOBS is supported by hundreds of agriculture, business, labor, religious, and ethnic affinity groups.

It is my profound belief that Americans are pro-legal immigration and anti-illegal immigration, and will support policies that are consistent with this basic principle.

AgJOBS fits this description. It severely penalizes farmers who will continue to hire illegal immigrants and who choose to exploit their workers. But it also provides farmers with the ability to hire Americans and legal immigrants who will take these jobs.

The current situation is simply untenable. Every day, American farms are closing and America has to import more and more food from abroad because it is far cheaper to buy foreign food than it is to produce food here.

For every farmworker job we lose to another country, America loses three to four other American jobs in packaging, processing, supplies, equipment, and other related sectors.

Failure to pass AgJOBS will continue to result in devastating consequences for our economy.

In New York alone, the Farm Credit Association of New York estimates that if AgJOBS is not passed, New York State could lose in excess of 900 farms, $195 million in value of agricultural production, and over 200,000 acres in production in agriculture over the next 24 months.

Finally, our national security is threatened when we no longer are able to ensure that we can sufficiently feed our people with American food. Without AgJOBS, we place our Nation's food security at risk from those who might seek to do harm to America.

This situation can and should be remedied. AgJOBS provides the remedy, and I am therefore proud to be an original cosponsor of AgJOBS and strongly support its passage.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 1041. A bill to amend the Oil Pollution Act of 1990 to modify the applicability of certain requirements to double hulled tankers transporting oil in bulk in Prince William Sound, Alaska; to the Committee on Commerce, Science, and Transportation.

Ms. MURKOWSKI. Mr. President, today I am introducing a bill, with my colleague from Alaska Senator MARK BEGICH, that will require all oil laden tankers in Prince William Sound to be escorted by at least two towing vessels or other vessels considered appropriate by the Secretary of the Department of Homeland Security.

At 12:04 a.m. on March 24, 1989, the Exxon Valdez, carrying over 53 million gallons of crude oil, failed to turn back into the shipping lane after detouring to avoid ice, and ran aground on Bligh Reef. Alaskans will never forget that morning, waking up to hear about the worst oil spill and environmental disaster in U.S. history and living with the lasting impacts it has had on our State and residents.

The National Transportation Safety Board investigated the accident and determined probable causes for the accident. While it determined that it was primarily caused by human error of the captain and crew, it is my belief that we had also become complacent. It had been 12 years since we had begun to tanker oil out of Valdez and there had not been an incident. However, when the spill occurred, we became acutely aware of how woefully unprepared we were. The few prevention measures that were available were inadequate and the spill response and clean-up resources were seriously deficient. The oil eventually fouled some 1,300 miles of shoreline, stretching almost 500 miles, and covered an area of 11,000 square miles.

While the captain and crew were found at fault for the immediate cause of the spill, the incident also highlighted huge gaps in regulatory oversight of the oil industry. The response of Congress to the spill was passage of the Oil Spill Pollution Act of 1990 or OPA90. The law overhauled shipping regulations, imposed new liability on the industry, required detailed response plans and added extra safeguards for shipping in Prince William Sound. Since the law took effect, annual oil spills were greatly reduced and lawmakers, marine experts, the oil industry and environmentalists credit the law for major improvements in U.S. oil and shipping industries.

Oil spill prevention and response have been greatly improved in Prince William Sound since the passage of OPA90. The U.S. Coast Guard now monitors fully laden tankers all the way through Prince William Sound. Specially trained marine pilots ride the ships for 25 of the 70 mile journey through the Sound and there are weather criteria for safe navigation. Contingency plans, skimmers, dispersants, oil barges and containment booms are all now readily available. An advanced ice-detecting radar system is also in place to monitor the icebergs that flow off of the mighty Columbia Glacier.

Two escort tugs accompany each tanker while passing through the Sound and are capable of assisting the tanker in the case of an emergency. This world class safety system recently

saw the 11,000th fully loaded tanker safely escorted through Prince William Sound. It is estimated that if the Exxon Valdez would have been double-hulled, the amount of the spill would have been reduced by more than half. While double hulled tankers are a huge improvement over single hulls, they do not prevent oil spills.

The legislation that Senator BEGICH and I are introducing today will maintain the existing escort system in place for all tankers. Presently, the federal requirement that every loaded tanker be accompanied through the Sound by two tugs applies only to single-hulled tankers. Even though, right now, double-hulled tankers are escorted by two vessels, federal law does not require them to be. The last single hulled tanker in the Prince William Sound fleet is expected to be retired from service by August 2012 and our legislation ensures all double hulled tankers will always be escorted by two tugs.

Although there have been a number of marine incidents and near misses since the Exxon Valdez oil spill in 1989, over the past 20 years, through the efforts of the U.S. Coast Guard, industry, the State of Alaska, and the Prince William Sound Citizens Advisory Council to implement the requirements of OPA 90, there have been no major oil spills. Today, as a result, the marine transportation safety system established for Prince William Sound is regarded as among the most effective in the world. A key reason for that accomplishment is, in part, because of the safety benefits resulting from having dual escort vessels available to assist oil laden tankers transiting the Sound.

Section 4116 (c) of OPA 90 requires that single hulled tankers over 5,000 gross tons transporting oil in bulk in Prince William Sound, Alaska be escorted by at least two towing vessels or other vessels considered appropriate by the Secretary.

Subsection (a) makes applicable to double hulled tankers the requirement in existing law including regulations in 33 CFR Part 168 issued to implement that dual escort vessel requirement for single hulled tankers. The subsection leaves the dual escort vessel requirement in place for single hulled tankers. By making those cited regulations applicable to double hulled tankers, the U.S. Coast Guard would not need to issue new regulations as a result of the amendment to section 4116(c) of OPA 90. Rather, the Secretary is authorized and directed to ''carry out subparagraph (A)'' by order without notice and hearing, and without issuing new regulations, under section 553 of title 5 of the U.S. Code.

The dual escort plan, as it was constituted and in effect as of March 1, 2009 for Prince William Sound, is described in a document entitled, ''Vessel Emergency Response Plan'' or ''VERP'', and is on file with the House Transportation and Infrastructure Committee and the Senate Commerce, Science, and Transportation Committee.

It is envisioned that, as advancements in technology are made in the future, any appropriate and warranted modifications to the VERP cited above implementing the dual escort practice as in effect as of March 1, 2009 and implementing the dual escort requirement in this section, including implementing regulations, will be made by the Prince William Sound Tanker Owners/Operators in consultation with the U.S. Coast Guard, the State of Alaska, and the PWSRCAC and ratified and endorsed by the U.S. Coast Guard before being implemented.

The success of this escort system over the past 20 years has shown us that it must not be compromised. We cannot forget the lessons of the Exxon Valdez oil spill and allow ourselves to become complacent.

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 orderd to be printed in the RECORD, as follows:

S. 1041

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

SECTION 1. DUAL ESCORT VESSELS FOR DOUBLE HULLED TANKERS IN PRINCE WILLIAM SOUND, ALASKA.

(a) IN GENERAL.—Section 4116(c) of the Oil Pollution Act of 1990 (46 U.S.C. 3703 note; Public Law 101–380) is amended—

(1) by striking ''Not later than 6 months'' and inserting the following:

''(1) IN GENERAL.—Not later than 180 days''; and

(2) by adding at the end the following:

''(2) PRINCE WILLIAM SOUND, ALASKA.—

''(A) IN GENERAL.—The requirement in paragraph (1) relating to single hulled tankers in Prince William Sound, Alaska, described in that paragraph being escorted by at least 2 towing vessels or other vessels considered to be appropriate by the Secretary (including regulations promulgated in accordance with section 3703(a)(3) of title 46, United States Code, as set forth in part 168 of title 33, Code of Federal Regulations (as in effect on March 1, 2009) implementing this subsection with respect to those tankers) shall apply to double hulled tankers over 5,000 gross tons transporting oil in bulk in Prince William Sound, Alaska.

''(B) IMPLEMENTATION OF REQUIREMENTS.—The Secretary of the Federal agency with jurisdiction over the Coast Guard shall carry out subparagraph (A) by order without notice and hearing pursuant to section 553 of title 5 of the United States Code.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date that is 90 days after the date of enactment of this Act.

By Mr. HARKIN (for himself, Mr. KENNEDY, Mrs. GILLIBRAND, and Mr. REED):

S. 1048. A bill to amend the Federal Food, Drug, and Cosmetic Act to extend the food labeling requirements of the Nutrition Labeling and Education Act of 1990 to enable customers to make informed choices about the nutritional content of standard menu items in large chain restaurants; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, I rise to introduce a bill, the Menu Education and Labeling Act, on behalf of myself and my colleagues, Senator KENNEDY of Massachusetts, Senator REED of Rhode Island, and Senator GILLIBRAND of New York.

It is by now well established that poor diet and obesity, as well as related conditions such as heart disease, have reached epidemic levels. The majority of the U.S. population is either overweight or obese. The incidence of type II diabetes has reached levels not even imaginable 20 years ago, with some research suggesting that one in three children will develop the disease by adulthood.

There is no single solution to this complex issue of poor nutrition and diet related diseases. Policymakers looking for a silver bullet will be disappointed. But inaction is not an option. We must start taking meaningful steps to address this growing problem by giving people the tools necessary to live healthier lifestyles. That is why my colleagues and I are introducing this bill today to extend nutrition labeling beyond packaged foods to include foods at chain restaurants with 20 or more locations, as well as food in vending machines. This common-sense idea will give consumers a needed tool to make wiser choices and achieve a healthier lifestyle. It is a positive step toward addressing the obesity epidemic.

In 1990, Congress passed the Nutrition Labeling and Education Act, NLEA, requiring food manufacturers to provide nutrition information on nearly all packaged foods. The impact has been tremendous. Not only do nearly three-quarters of adults use the food labels on packaged foods, but studies indicate that consumers who read labels have healthier diets.

Unfortunately, when Congress first passed the NLEA, it excluded restaurants from any labeling requirements. Since that time, restaurants have become more and more important to Americans' diet and health. Americans consume a third of their calories and spend half of their food dollars at restaurants at the very time when nutrition and health experts say that rising caloric consumption and growing portion sizes are causes of obesity. We also know that when children eat in restaurants, they consume twice as many calories as when they eat at home. Consumers say that they would like nutrition information provided when they order their food at restaurants, yet, while they have good nutrition information in supermarkets, at restaurants they can only guess.

In recent years, some states and cities have led the way on menu labeling. New York City has already implemented a menu labeling initiative that requires the disclosure of calories on menus and menu boards at chain restaurants. Consumer surveys show that

the residents of New York are enthusiastic about the initiative. The experience in New York has also underscored the feasibility and practicality of the endeavor. Despite earlier concerns about implementation, the vast majority of restaurants in New York City complied with the law quickly and without incident. Those with particular challenges were assisted by the New York City Health Department to enable them to comply with the law.

But New York City is not the only such initiative. Other cities such as Philadelphia, Seattle, Portland, and San Francisco have followed suit. Just last fall, the State of California became the first State in the Nation to enact a statewide menu labeling law, and Massachusetts became the second yesterday. Clearly there is not only a public health rationale for menu labeling, but consumer demand as well.

As I already stated, I harbor no illusions that any one policy will turn the tide on obesity and poor diet in our country, but if we are ever to reorient our society and our health care system in the U.S. away from treatment and towards a stronger focus on prevention, we must build prevention into the very fabric of society. We must provide consumers with the tools and the support that they need to make the healthy choice the right choice. The MEAL Act is one means by which to accomplish that goal, and I urge my colleagues to join me in supporting this important legislation.

By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. KOHL, and Mr. LEVIN)):

S. 1050. A bill–amend title XXVII of the Public Health Service Act to establish Federal standards for health insurance forms, quality, fair marketing, and honesty in out-of-network coverage in the group and individual health insurance markets, to improve transparency and accountability in those markets, and to establish a Federal Office of Health Insurance Oversight to monitor performance in those markets, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, I rise today—with my colleagues Congresswoman ROSA DELAURO and Congresswoman ALYSON SCHWARTZ—to introduce the Informed Consumer Choices in Health Care Act, legislation to hold insurance companies accountable by increasing transparency in insurance coverage and to provide consumers critical information about their health care so they can make informed decisions.

All Americans deserve affordable, meaningful health care coverage that meets their needs when they need it. However, there is an unsettling trend in America that is growing at an alarming rate—hardworking Americans are suffering from serious economic hardship because of medical bills. There countless consumers all across the country who thought they were safe because they had health insurance coverage. Health insurance is meant to protect against the risk that, if you get sick, severely injured or require extensive medical care for one reason or another, it would not bankrupt you. However, the exact opposite is happening. People who thought they had coverage for health care events—small and large—found out much too late that they were not protected at all. The lack of insurance transparency leads consumers to purchase coverage that actually does not meet their needs and leads to disaster for them financially.

In June 2008, the Senate Finance Committee held a hearing on health insurance reform where we heard devastating testimony from Mrs. Lisa Kelly, who purchased a limited benefit plan that did not provide adequate coverage when she needed treatment for leukemia. Mrs. Kelly paid a monthly premium of $185 for AARP's Medical Advantage plan, underwritten by UnitedHealth Group, only to be told that she had to pay M.D. Anderson $105,000 up front, prior to starting her chemotherapy treatment. This situation left Ms. Kelly in the untenable situation of leaving her cancer untreated or finding a way to pay on a limited budget.

Medical bills are the second highest cause of bankruptcy in our country. It is estimated that 50 percent of all bankruptcies are a result of medical expenses. Sixty-one percent of the 72 million adults under age 65 who had problems paying medical bills or were paying off medical debt in 2007 were insured at the time health care was provided. An additional 1.5 million families lose their homes every single year due to medical costs. This is simply unacceptable.

This is not just a coincidence. Plans that provide bare-bones coverage may be fine if you live in a bubble, but that is not the reality most Americans live in. If we as a nation are serious about protecting all Americans from the devastating financial consequences of serious illness, then Congress must hold the insurance industry accountable by arming consumers with comprehensive information about the benefits covered and not covered under their health plan, the true cost of their coverage, and the cost-sharing they are responsible for. This information should not be shrouded in the legalese of health insurance companies, but in clear language that is easy for consumers to understand. As we seek to give consumers greater coverage choices, we should also give them the necessary tools to understand those choices.

Another example of where the lack of insurance transparency has hurt consumers is in the experience of the Medicare prescription drug benefit. Seniors and individuals with disabilities have simply been overwhelmed by the number of prescription drug plans offered—without any meaningful way to decipher the differences between plans in terms of benefits covered or cost-sharing. Over the last recess, I held a health care roundtable discussion in Charleston, which has more than 50 Medicare prescription drug plans for seniors and individuals with disabilities to choose from. I heard from countless West Virginians about the extreme difficulty they have wading through their prescription drug coverage options each and every plan year. The most compelling stories came from a retired chemical engineer and a retired attorney—both very smart individuals—who have had major problems determining what is and is not offered and how much they will have to pay out of their pockets for it.

When consumers buy cars, computers, or even cereal, they generally know what they are buying and how much it will cost. But, when it comes to making choices about health care coverage, it is often very difficult for consumers to tell what is actually covered and how much they will have to pay out-of-pocket in case of a serious illness or injury. Consumers cannot make meaningful choices if details about coverage are obscure or if the definitions of key terms such as ''hospitalization'', ''outpatient care'', or ''out-of-pocket limit'' vary from plan to plan.

The lack of health insurance transparency also contributes to administrative waste and complexity. According to the American Medical Association, more than half of health insurers do not provide physicians with the transparency necessary for an efficient claims processing system. Physicians and hospitals must divert substantial resources away from patient care to accurately determine patient insurance eligibility and benefit structure.

The black box in which insurers operate also provides them with the opportunity to use flawed payment structures, like the Ingenix database, to underpay patients who choose to get health care out of network. An investigation by the New York Attorney General and hearings conducted this spring by the Senate Commerce Committee revealed American consumers have been paying billions of dollars out of their own pockets for health care that the insurance companies should have been paying. The numbers the insurance industry relied on justify these under-payments came from a secretive health care data company called Ingenix. Insurers refused to tell patients or doctors how Ingenix came up with their payment amounts. And they didn't disclose that Ingenix was a wholly owned subsidiary of UnitedHealth Group, the Nation's second largest health insurance company. The Ingenix investigations show tat the health insurance industry is willing to go to great lengths to withhold accurate, objective health care payment information from American consumers. While they talk about transparency, they spent hundreds of millions of dollars

creating a reimbursement system that kept patients and doctors in the dark.

The U.S. Department of Labor currently lacks the capacity to oversee insurance industry compliance with federal health insurance laws and to provide states with the technical assistance necessary to effectively enforce federal standards for health insurance. These federal standards include crucial protections like the Genetic Information and Nondiscrimination Act, GINA, the Health Insurance Portability and Accountability Act, HIPAA, the Newborns' and Mothers' Health Protection Act, the Women's Health and Cancer Rights Act of 1998, Michelle's Law, and mental health parity. As states continue to be overwhelmed by the increasing pressure of the recession and cost-cutting measures by insurers, state regulators are in desperate need for additional resources. In a 21st Century health system where there will be even greater health insurance choices, adequate federal oversight is absolutely critical.

There is no excuse for limiting access to information that has such widespread consequences for consumers. The Informed Consumer Choices in Health Care Act is the type of transformative legislation we need to address the very significant issues stemming from the lack of health insurance transparency. First, this legislation promotes transparency in coverage by providing crucial data and assistance to consumers and health care providers. This includes new ''Coverage Facts'' labels for insurance, similar to nutrition labels, which accurately portray the financial obligations of patients in a given year under various medical scenarios. The legislation also requires the development of consistent standards for insurance, including standard definitions of key insurance terms to be used in descriptions of plan benefits, so that consumers can make ''apples to apples'' comparisons of coverage options. Lastly, it strengthens insurance accountability and oversight by creating a new Office of Health Insurance Oversight within the Department of Health and Human Services, and provides new resources for states to help enforce federal standards.

In the most recent Presidential election, the voice of American voters was clear—they want medical care they can afford and health care coverage they can trust. The traditional role of insurers to hide or misrepresent insurance coverage options can longer be tolerated; therefore, I urge my colleagues to stand up for informed consumer decisions in health care and support this bill.

Mr. President, I ask unanimous consent that the text of the bill and support material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1050

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 ''Informed Consumer Choices in Health Care Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. New minimum Federal standards for health insurance forms, quality, fair marketing, and honesty in out-of-network coverage.
Sec. 4. Health Insurance accountability initiatives.
Sec. 5. Health insurance transparency initiatives.
Sec. 6. Office of Health Insurance Oversight.
Sec. 7. Standards and accountability and transparency initiatives for group health plans through Departments of Labor and the Treasury.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Effective competition in private health insurance markets requires that consumers must have extensive and meaningful information about what health insurance covers, what it costs, and how it works.

(2) Based on the information currently provided by health insurers, patients are unable to predict what their health insurance coverage limits or out-of-pocket costs would be if they had a serious illness. 72 million adults under age 65 had problems paying medical bills or were paying off medical debt in 2007, and 61 percent of those were insured at the time care was provided.

(3) It is difficult to impossible for consumers to obtain a copy of a health insurance policy from an insurance company before they purchase it.

(4) Consumers often find it difficult to navigate and evaluate their choices in today's health insurance markets and many select a sub-optimal plan as a result.

(5) The Institute of Medicine of the National Academy of Sciences has estimated that nearly half of all American adults—90 million people—have difficulty understanding and using health information.

(6) The Office of Disease Prevention and Health Promotion in the Department of Health and Human Services reports that only 12 percent of the population using a table can calculate an employee's share of health insurance costs for a year.

(7) A RAND Corporation study found that making it easier to get information about insurance products and simplifying the applications process would increase purchase rates as much as modest subsidies would, and all these reports prove the need for a fundamental improvement in the way insurance choices are made available to consumers.

(8) Insurance forms provided to patients and providers are often confusing, difficult to reconcile with medical bills, and vary widely from insurer to insurer, thereby adding complexity and administrative waste to the health care system.

(9) Research indicates that physicians divert substantial resources, as much as 14 percent of their total revenue, to ensure accurate insurance payments for their services. Hospitals spend as much as 11 percent of their total revenue on billing and insurance-related costs. These include time spent determining patient insurance eligibility and benefit structure. One study found that paperwork adds at least 30 minutes to every hour of patient care.

(10) According to the American Medical Association, there is wide variation in how often health insurers pay nothing in response to a physician claim and in how they explain the reason for the denial. There is no consistency in the application of codes used to explain the denials, making it extremely expensive for physician practices to determine how to respond.

(11) According to the American Medical Association, more than half of health insurers in a recent study did not provide physicians with the transparency necessary for an efficient claims processing system.

(12) According to the American Medical Association, payers vary widely on how often they use proprietary rather than public claims edits to reduce payments (ranging from zero to as high as nearly 72 percent). The use of undisclosed proprietary edits inhibits the flow of transparent information to physicians, adding additional administrative costs to reconcile claims.

(13) The Federal government currently lacks capacity to carry out responsibility for oversight and enforcement of current law requirements on health insurance issuers and to provide States with technical assistance in effectively enforcing Federal minimum standards for health insurance.

(14) In order to improve the functioning of the private health insurance market, assure the application of existing requirements to health insurance coverage, and reduce administrative hassles for patients and providers, there is a need for periodic examinations and audits of such coverage, for greater disclosure of information regarding the terms and conditions of such coverage, and for the establishment of a Federal oversight office to ensure enforcement of standards.

SEC. 3. NEW MINIMUM FEDERAL STANDARDS FOR HEALTH INSURANCE FORMS, QUALITY, FAIR MARKETING, AND HONESTY IN OUT-OF-NETWORK COVERAGE.

(a) GROUP HEALTH INSURANCE.—Title XXVII of the Public Health Service Act is amended by inserting after section 2707 the following new section:

''SEC. 2708. STANDARDS FOR HEALTH INSURANCE FORMS, QUALITY, FAIR MARKETING, AND HONESTY IN OUT-OF-NETWORK COVERAGE.

''(a) DEFINING INSURANCE TERMS; STANDARDIZING INSURANCE FORMS.—

''(1) IN GENERAL.—The Secretary shall provide for the development of standards for the information that health insurance issuers are required to provide to group health plans to promote informed choice of health insurance coverage by such plans.

''(2) STANDARD DEFINITIONS OF INSURANCE AND MEDICAL TERMS.—

''(A) IN GENERAL.—The Secretary shall provide for the development of standards for the definitions of terms used in group health insurance coverage, including insurance-related terms (including the insurance-related terms described in subparagraph (B)) and medical terms (including the medical terms described in subparagraph (C)).

''(B) INSURANCE-RELATED TERMS.—The insurance-related terms described in this subparagraph are premium, deductible, co-insurance, co-payment, out-of-pocket limit, preferred provider, non-preferred provider, out-of-network co-payments, UCR (usual, customary and reasonable) fees, excluded services, grievance and appeals, and such other terms as the Secretary determines are important to define so that consumers may compare health insurance coverage and understand the terms of their coverage.

''(C) MEDICAL TERMS.—The medical terms described in this subparagraph are hospitalization, hospital outpatient care, emergency room care, physician services, prescription drug coverage, durable medical equipment, home health care, skilled nursing care, rehabilitation services, hospice

services, emergency medical transportation, and such other terms as the Secretary determines are important to define so that consumers may compare the medical benefits offered by insurance health insurance and understand the extent of those medical benefits (or exceptions to those benefits).

''(3) STANDARDIZATION OF INSURANCE FORMS.—The Secretary shall provide for the development of standards for the forms used in connection with group health insurance coverage, including for—

''(A) applications for health insurance coverage;

''(B) explanations of benefits for such coverage;

''(C) filing of complaints, grievances, and appeals respecting such coverage; and

''(D) other common functions relating to such coverage as the Secretary deems appropriate.

''(4) COVERAGE FACTS LABELS FOR PATIENT CLAIMS SCENARIOS.—The Secretary shall develop standards for coverage facts labels based on the patient claims scenarios described in section 2794(b)(4), which include information on estimated out-of-pocket cost-sharing and significant exclusions or benefit limits for such scenarios.

''(5) PERSONALIZED STATEMENT.—The Secretary shall develop standards for an annual personalized statement that summarizes use of health care services and payment of claims with respect to an enrollee (and covered dependents) under group health insurance coverage in the preceding year.

''(6) APPLICATION OF STANDARDS.—No group health insurance coverage may be offered for sale after the date that is two years after date of the enactment of this section unless—

''(A) the benefits and other terms of coverage are consistent with the definitional standards developed under paragraph (2);

''(B) the application and form of coverage and related forms are consistent with the standardized forms developed under paragraph (3); and

''(C) there is provided coverage facts labels described in paragraph (4) with respect to the coverage.

''(7) PERIODIC REVIEW AND UPDATING.—The Secretary shall periodically review and update, as appropriate, the standards developed under this subsection.

''(8) EVALUATION OF INFORMATION RESOURCES.—In developing, reviewing, and updating standards under this subsection, the Secretary shall provide for testing and evaluation of information resources in general and to specific audiences including those with low literacy skills.

''(9) CONSULTATION.—In developing reviewing, and updating standards under this subsection, the Secretary shall consult with, among others, the National Association of Insurance Commissioners, health care professionals, researchers, health insurance issuers, group health plans, patient advocates, and literacy experts.

''(b) QUALITY ASSURANCES FOR HEALTH INSURANCE.—

''(1) IN GENERAL.—The Secretary shall provide for the development of standards to assure the quality of benefits under group health insurance coverage. Such standards shall include standards relating to at least—

''(A) network adequacy and stability;

''(B) guaranteed coverage for one year of contracted benefits;

''(C) adequacy and stability of prescription drug networks;

''(D) utilization control systems; and

''(E) grievances and appeals.

''(2) APPLICATION OF PROVISIONS.—The provisions of paragraphs (5) through (9) of subsection (a) apply to standards developed under this subsection in the same manner as such provisions apply to standards developed under subsection (a).

''(c) MARKETING.—

''(1) IN GENERAL.—The Secretary shall provide for the development of standards for the marketing of group health insurance coverage. Such standards shall include standards for at least—

''(A) marketing materials; and

''(B) sales commissions.

''(2) NONDISCRIMINATION.—No group health insurance coverage may be offered for sale after the date that is two years after date of the enactment of this section unless the issuer provides the Secretary with a written certification that all marketing materials, seminars, and other outreach efforts in connection with the offering of such coverage do not discriminate on the basis of income, race, gender, ethnicity, or other demographic factors as determined by the Secretary.

''(3) APPLICATION OF PROVISIONS.—The provisions of paragraphs (7) through (9) of subsection (a) apply to standards developed under this subsection in the same manner as such provisions apply to standards developed under subsection (a).

''(d) HONESTY IN COVERAGE OF OUT-OF-NETWORK PROVIDERS.—The Secretary shall provide for the development of standards for the accuracy and clarity of coverage for out-of-network providers, including cost sharing and payments to such providers, for health insurance issuers in group health insurance coverage that provide such coverage.''.

(b) APPLICATION IN THE INDIVIDUAL MARKET.—Such title is further amended by inserting after section 2745 the following new section:

''SEC. 2746. STANDARDS FOR HEALTH INSURANCE INSURANCE FORMS, QUALITY, FAIR MARKETING, AND HONESTY IN OUT-OF-NETWORK COVERAGE.

''The provisions of section 2708 shall apply under this part to individual health insurance coverage and enrollees in such coverage in the same manner as such provisions apply under part A in the case of group health insurance coverage and group health plans and participants and beneficiaries.''.

(c) APPLICATION TO THE MEDICARE ADVANTAGE PROGRAM AND THE MEDICARE PRESCRIPTION DRUG PROGRAM.—

(1) MEDICARE ADVANTAGE PROGRAM.—Section 1852 of the Social Security Act (42 U.S.C. 1395w–22) is amended by adding at the end the following new subsection:

''(m) STANDARDS FOR HEALTH INSURANCE FORMS, QUALITY, FAIR MARKETING, AND HONESTY IN OUT-OF-NETWORK COVERAGE.—The provisions of section 2708(a) of the Public Health Service Act shall apply to Medicare Advantage organizations, Medicare Advantage plans, and enrollees in such plans in the same manner as such provisions apply under such section to group health insurance coverage and group health plans and participants and beneficiaries.''.

(2) MEDICARE PRESCRIPTION DRUG PROGRAM.—Section 1860D–4 of the Social Security Act (42 U.S.C. 1395w–104) is amended by adding at the end the following new subsection:

''(m) STANDARDS FOR HEALTH INSURANCE FORMS, QUALITY, FAIR MARKETING, AND HONESTY IN OUT-OF-NETWORK COVERAGE.—The provisions of section 2708(a) of the Public Health Service Act shall apply to PDP sponsors, prescription drug plans, and enrollees in such plans in the same manner as such provisions apply under such section to group health insurance coverage and group health plans and participants and beneficiaries.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to plan years beginning after the date that is 2 years after the date of the enactment of this Act.

(d) APPLICATION TO FEHBP.—The provisions of section 2708(a) of the Public Health Service Act shall apply to the Federal Employees Health Benefits Program under chapter 89 of title 5, United States Code, and to contractors, health plans, and enrollees in such plans in the same manner as such provisions apply under such section to group health insurance coverage and group health plans and participants and beneficiaries.

SEC. 4. HEALTH INSURANCE ACCOUNTABILITY INITIATIVES.

(a) IMPROVED HEALTH INSURANCE ACCOUNTABILITY.—Title XXVII of the Public Health Service Act is amended by adding at the end the following new section:

''SEC. 2793. ACCOUNTABILITY INITIATIVES.

''(a) IN GENERAL.—The Secretary, acting through the Office of Health Insurance Oversight established under section 2795, shall undertake activities in accordance with this section to promote accountability of health insurance issuers in meeting Federal health insurance requirements, regardless of whether this relates to health insurance in the individual or group market.

''(b) COMPLIANCE EXAMINATIONS AND AUDITS.—

''(1) IN GENERAL.—Without regard to whether or not there is a determination under section 2722(a)(2) or 2761(a)(2) with respect to a health insurance issuer, in carrying out this section, the Secretary shall conduct independent market conduct examinations and audits to monitor and verify the compliance of an health insurance issuer with Federal health insurance requirements. Such audits may include random compliance audits and targeted audits in response to complaints or other suspected non-compliance.

''(2) RECOUPMENT OF COSTS.—In connection with such examinations and audits, the Secretary is authorized to recoup from health insurance issuers reimbursement for the costs of such examinations and audits of such issuers.

''(3) RELATION TO OTHER AUTHORITY.—The authorities under this section are in addition to any authorities of the Secretary, including authorities under sections 2722(b) and 2761(b).

''(c) DATA COLLECTION AND REVIEW.—

''(1) IN GENERAL.—The Secretary shall collect and review data from health insurance issuers on health insurance coverage to monitor compliance with Federal health insurance requirements applicable to such issuers and coverage. Upon request by the Secretary, such issuers shall provide such data to the Secretary on a timely basis.

''(2) ELEMENTS TO REVIEW.—In carrying out this subsection, the Secretary shall review at least the following:

''(A) Underwriting guidelines to ensure compliance with applicable Federal health insurance requirements.

''(B) Rating practices to ensure compliance with such requirements.

''(C) Enrollment and disenrollment data, including information the Secretary may need to detect patterns of discrimination against individuals based on health status or other characteristics, to ensure compliance with such requirements (including non-discrimination in group coverage, guaranteed issue, guaranteed renewability requirements applicable in all markets).

''(D) Post-claims underwriting and rescission practices to ensure compliance with such requirements relating to guaranteed renewability.

''(E) Marketing materials and agent guidelines to ensure compliance with applicable Federal health insurance requirements.

''(F) Data on the imposition of pre-existing condition exclusion periods and claims subjected to such exclusion periods.

''(G) Information on issuance of certificates of creditable coverage.

''(H) Information on cost-sharing and payments with respect to any out-of-network coverage.

''(I) Such other information as the Secretary may determine to be necessary to verify compliance with requirements of this title.

''(J) The application to issuers of penalties for violation of such requirements, including the failure to produce requested information.

''(3) TREATMENT OF PROPRIETARY INFORMATION.—The Secretary may request under this subsection information that is proprietary or that reveals a trade secret, but such information shall not be subject to further disclosure to the general public in a manner that reveals proprietary information or a trade secret.

''(4) FORM AND MANNER OF INFORMATION.—Information under paragraph (1) shall be provided—

''(A) in a form and manner specified by the Secretary; and

''(B) within 30 days of the date of receipt of the request for the information, or within such longer time period as the Secretary deems appropriate.

''(5) ENFORCEMENT.—The Secretary shall have the same authority in relation to enforcement of requests for data under paragraph (1) as the Secretary has under section 2722(b).

''(6) COORDINATION WITH STATES.—

''(A) IN GENERAL.—The Secretary shall coordinate with State insurance regulators so that data with respect to health insurance issuers and coverage are collected and reported in a common format.

''(B) CLEARINGHOUSE.—The Secretary shall establish a clearinghouse for the sharing of data reported by health insurance issuers and for the findings from audits and investigations. Such clearinghouse may be established in conjunction with the National Association of Insurance Commissioners.

''(7) COORDINATION WITH DEPARTMENTS OF LABOR AND TREASURY.—The Secretary shall coordinate with the Secretaries of Labor and Treasury with respect to requirements to report data that affect health insurance coverage sold in connection with group health plans.

''(d) HEALTH INSURANCE ACCOUNTABILITY GRANTS TO STATES.—

''(1) IN GENERAL.—The Secretary shall provide for grants to Departments of Insurance in States to strengthen their enforcement of Federal health insurance requirements with respect to health insurance issuers operating in such States. Such a grant shall only be made pursuant to an application made to the Secretary.

''(2) FUNDING.—

''(A) IN GENERAL.—Of the funds appropriated under subparagraph (B) for grants under this subsection, the Secretary shall provide a grant to each State with an application approved under paragraph (1).

''(B) ALLOCATION.—Funds so appropriated for any fiscal year shall be apportioned among the States in accordance with a formula determined by the Secretary that takes into account the scope of health insurance subject to regulation under this title in each State and such other factors as the Secretary may specify.

''(C) APPROPRIATIONS AND AUTHORIZATIONS.—There is hereby appropriated, out of any funds in the Treasury not otherwise appropriated for the first fiscal year in which this section is in effect, $10,000,000 for grants under this subsection, to be available until expended. For each subsequent fiscal year there is authorized to be appropriated such sums as may be necessary for such grants.

''(e) FEDERAL HEALTH INSURANCE REQUIREMENTS DEFINED.—In this part, the term 'Federal health insurance requirements' means the requirements under this title insofar as they relate to health insurance issuers and health insurance coverage, whether in the individual or group market, and includes other requirements imposed under Federal law specifically in relation to the offering of health insurance coverage by health insurance issuers.''.

SEC. 5. HEALTH INSURANCE TRANSPARENCY INITIATIVES.

(a) IN GENERAL.—Title XXVII of the Public Health Service Act, as amended by section 3, is further amended by adding at the end the following new section:

''SEC. 2794. TRANSPARENCY INITIATIVES.

''(a) IN GENERAL.—The Secretary, acting through the Office of Health Insurance Oversight established under section 2795, shall undertake activities in accordance with this section to promote transparency in costs, market practices, and other factors for health insurance coverage, regardless of whether the coverage is offered or in effect in the individual or group market.

''(b) DEVELOPMENT AND DISCLOSURE OF STANDARDIZED INFORMATION.—

''(1) IN GENERAL.—In carrying out this section, the Secretary shall provide for the development of—

''(A) standards for information about health insurance issuers, their health insurance policies, and their market practices with respect to such policies; and

''(B) standards for the disclosure of such information in a timely, consistent, and accurate manner by health insurance issuers about each health insurance policy marketed and in force.

''(2) INFORMATION TO BE DISCLOSED.—

''(A) IN GENERAL.—In carrying out this section, the Secretary shall require health insurance issuers to disclose to enrollees, potential enrollees, in-network health care providers, and others through a publicly available Internet website and other appropriate means at least the following concerning each policy of health insurance coverage marketed or in force, in such standardized manner as the Secretary specifies:

''(i) Full policy contract language.

''(ii) A summary of the information described in paragraph (3).

''(iii) For each of the scenarios developed under paragraph (4), the coverage facts label information developed under section 2709(a)(4).

''(B) PERSONALIZED STATEMENT.—In carrying out this section, the Secretary shall require health insurance issuers to disclose to enrollees, in such standardized manner as the Secretary specifies, an annual personalized statement described in section 2708(a)(5).

''(3) INFORMATION TO BE DISCLOSED.—The information described in this paragraph is at least the following:

''(A) Data on the price of each new policy of health insurance coverage and renewal rating practices.

''(B) Information on claims payment policies and practices, including how many and how quickly claims were paid.

''(C) Information on provider fee schedules and usual, customary, and reasonable fees (for both network and out-of-network providers).

''(D) Information on provider participation and provider directories.

''(E) Information on loss ratios, including detailed information about amount and type of non-claims expenses.

''(F) Information on covered benefits, cost-sharing, and amount of payment provided toward each type of service identified as a covered benefit, including preventive care services recommended by the United States Preventive Services Task Force.

''(G) Information on civil or criminal actions successfully concluded against the issuer by any governmental entity.

''(H) Benefit exclusions and limits.

''(4) DEVELOPMENT OF PATIENT CLAIMS SCENARIOS.—

''(A) IN GENERAL.—In order to improve the ability of individuals and group health plans to compare the coverage and value provided under different health insurance coverage, the Secretary shall develop a series of patient claims scenarios under which benefits (including out-of-pocket costs) under such coverage can be simulated for certain common or expensive conditions or courses of treatment, such as maternity care, breast cancer, heart disease, diabetes management, and well-child visits.

''(B) CONSULTATION AND BASIS.—The Secretary shall develop the scenarios under this paragraph—

''(i) in consultation with the National Institutes of Health, the Centers for Disease Control and Prevention, the Agency for Healthcare Research and Quality, health professional societies, patient advocates, and others as deemed necessary by the Secretary; and

''(ii) based upon recognized clinical practice guidelines.

''(5) MANNER OF DISCLOSURE.—

''(A) IN GENERAL.—The standards under paragraph (1)(B) shall provide for health insurance issuers to disclose the information under this subsection—

''(i) with all marketing materials;

''(ii) on the web site of the issuer; and

''(iii) at other times upon request.

''(B) CONTRACT LANGUAGE.—Such standards also shall require the disclosure of full policy contract language in printed form upon request.

''(c) APPLICATION OF ENFORCEMENT PROVISIONS.—The provisions of sections 2722 and 2671 shall apply to enforcement of the requirements of this section in the same manner as such provisions apply to the provisions of part A or part B, respectively. Under such provisions the States shall have initial (and primary) enforcement authority with respect to such requirements, except that the Secretary under section 2793 may directly monitor compliance with such provisions as well.''.

(b) CONFORMING AMENDMENTS REGARDING DISCLOSURE OF INFORMATION.—

(1) REFERENCE IN THE GROUP MARKET.—Section 2713 of the Public Health Service Act (42 U.S.C. 300gg–13)) is amended by adding at the end the following new subsection:

''(c) REFERENCE TO DISCLOSURE OF INFORMATION.—For provision requiring disclosure of information by health insurance issuers, see section 2794(d).''.

(2) REFERENCE IN THE INDIVIDUAL MARKET.—Section 2761 of the Public Health Service Act is amended by adding at the end the following new subsection:

''(c) REFERENCE TO DISCLOSURE OF INFORMATION.—For provision requiring disclosure of information by health insurance issuers, see section 2794(d).''.

SEC. 6. OFFICE OF HEALTH INSURANCE OVERSIGHT.

(a) IN GENERAL.—Title XXVII of the Public Health Service Act, as amended by sections 3 and 4, is amended by adding at the end of part C the following new section:

''SEC. 2795. OFFICE OF HEALTH INSURANCE OVERSIGHT.

''(a) ESTABLISHMENT.—There is established within the Department of Health and Human Services an Office of Health Insurance Oversight (referred to in this section as the 'Office'). The Office shall be headed by a Director of Health Insurance Oversight (referred

to in this section as the 'Director') who shall be appointed by and report directly to the Secretary.

''(b) DUTIES.—

''(1) PROMOTION OF ACCOUNTABILITY IN HEALTH INSURANCE.—

''(A) IN GENERAL.—The Director shall implement accountability initiatives under section 2793.

''(B) CLEARINGHOUSE.—The Director shall provide, in consultation with the National Association of Insurance Commissioners, for a clearinghouse for State health insurance regulators to share information concerning, and help them to enact and enforce, Federal health insurance requirements.

''(2) PROMOTE TRANSPARENCY IN HEALTH INSURANCE.—The Director shall implement transparency initiatives under section 2794.

''(3) CONSUMER INFORMATION, ASSISTANCE.—

''(A) IN GENERAL.—The Director shall provide for consumer information assistance on health insurance coverage, and Federal health insurance consumer protections under this title, including through carrying out activities under this paragraph.

''(B) INFORMATION RESOURCES.—The Director shall develop health insurance information resources for consumers, including coverage facts labels for patient claims scenarios developed under section 2794(b)(4) and web-based information on average price ranges for out-of-network services based on geography.

''(C) SERVICE.—The Director shall establish a consumer assistance service that, directly or in coordination with State health insurance regulators and consumer assistance organizations, receives and responds to inquiries and complaints concerning health insurance coverage with respect to Federal health insurance requirements and under State law.

''(4) HEALTH INSURANCE CONSUMER ASSISTANCE GRANTS.—

''(A) IN GENERAL.—The Director shall provide for grants to public, private or not-for-profit consumer assistance organizations to develop, support, and evaluate consumer assistance programs related to selecting and navigating health care coverage. Such a grant shall only be made pursuant to an application made to the Director. In making such grants, the Director shall attempt to ensure regional and geographic equity.

''(B) GRANT REQUIREMENT.—As a condition of receiving such a grant, an organization shall be required to collect and report data to the Director on the types of problems and inquiries encountered by consumers they serve. Data shall be used by the Director to inform enforcement activities and be shared with State insurance regulators, the Department of Labor, and the Secretary of the Treasury.

''(C) APPROPRIATIONS AND AUTHORIZATIONS.—There is hereby appropriated, out of any funds in the Treasury not otherwise appropriated for the first fiscal year in which this section is in effect, $30,000,000 for grants under this paragraph, to be available until expended. For each subsequent fiscal year there are authorized to be appropriated such sums as may be necessary for such grants.

''(5) ADMINISTRATION OF HIGH RISK POOL.—The Director shall administer the high risk pool program under section 2745.

''(6) ADMINISTRATION OF GRANTS TO STATE INSURANCE DEPARTMENTS.—The Director shall administer the program of grants to State insurance departments under section 2793(d).

''(c) PERIODIC REPORTS.—The Director shall submit periodic reports to Congress on the Office's activities.

''(d) COORDINATION.—

''(1) FEDERAL OFFICIALS.—The Director shall coordinate, with the Secretaries of Labor and Treasury, activities under this section with respect to requirements that affect health insurance coverage offered in connection with group health plans, including coordination in —

''(A) development and dissemination of information; and

''(B) consumer inquiries and complaints relating to Federal health insurance requirements.

''(2) STATE HEALTH INSURANCE REGULATORS.—In carrying out the Office's activities, the Director shall—

''(A) coordinate with State health insurance regulators regarding data collection and disclosure and audit and enforcement activities in order to avoid duplication and to use regulatory resources most efficiently;

''(B) monitor State efforts to implement and enforce consumer protections consistent with Federal health insurance requirements;

''(C) provide technical assistance to States seeking to implement and enforce consumer protections consistent with such requirements; and

''(D) provide for regular communication with such regulators to coordinate enforcement efforts and sharing of information

''(e) TRANSFER OF PERSONNEL AND RESOURCES.—The Secretary shall provide for the transfer to the Office of those personnel and resources within the Department of Health and Human Services that, as of the date of the enactment of this section, relate directly to the responsibilities of the Director under this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts made available under subsection (b)(4)(C), there are authorized to be appropriated to carry out this section $20,000,000 for the first fiscal year beginning after the date of the enactment of this section and such sums as may be necessary for subsequent fiscal years.''.

(b) CONFORMING AMENDMENTS REGARDING ADDITIONAL AUTHORITY.—

(1) GROUP MARKET.—Section 2722 of such Act (42 U.S.C. 300gg–22) is amended by adding at the end the following new subsection:

''(c) REFERENCE TO ADDITIONAL AUTHORITY.—For additional Secretarial authorities with respect to requirements under this part, see sections 2793 and 2794.''.

(2) INDIVIDUAL MARKET.—Section 2761 of such Act (42 U.S.C. 300gg–61) is amended by adding at the end the following new subsection:

''(c) REFERENCE TO ADDITIONAL AUTHORITY.—For additional Secretarial authorities with respect to requirements under this part, see sections 2793 and 2794.''.

SEC. 7. STANDARDS AND ACCOUNTABILITY AND TRANSPARENCY INITIATIVES FOR GROUP HEALTH PLANS THROUGH DEPARTMENTS OF LABOR AND THE TREASURY.

(a) STANDARDS.—In coordination with the Secretary of Health and Human Services, the Secretaries of Labor and the Treasury shall establish for group health plans standards comparable to the standards developed by the Secretary of Health and Human Services for group health insurance coverage under section 2708 of the Public Health Service Act, as added by section 3(a), in order to promote quality, fair marketing, and honesty in out-of-network coverage under such plans and to permit participants to make an informed decision in cases where they are offered a choice of coverage under such a plan.

(b) ACCOUNTABILITY AND TRANSPARENCY INITIATIVES.—In coordination with the Secretary of Health and Human Services, the Secretaries of Labor and the Treasury shall jointly undertake accountability and transparency initiatives with respect to group health plans similar to those undertaken by the Secretary of Health and Human Services with respect to group and individual health insurance coverage under sections 2793 and 2794 of the Public Health Service Act, as added by sections 4 and 5 of this Act.

(c) GROUP HEALTH PLAN DEFINED.—In this section, with respect to the Secretary of Labor and the Secretary of the Treasury, the term ''group health plan'' has the meaning such term for purposes of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 and chapter 100 of the Internal Revenue Code of 1986, respectively.

Sample "Coverage Facts" Label for Health Insurance

Coverage Facts

Individually Purchased Health Insurance, 2008

Policy A (California)

Monthly Premium (age 55) †	**$211**
Annual deductible	**$1,500**
Annual OOP limit	**$1,500**
Cost sharing not subject to annual OOP	**None**
Significant exclusions, benefit limits	**Mental health limit of 20 visits, Wigs**

Breast Cancer Scenario ‡
(May 1 diagnosis, 87 weeks active treatment)

Estimated allowed charges for all treatment	$97,298
Estimated paid by patient	**$3,602 (4%)**

Care type	# billed	Total allowed charges ($)	$ paid out of pocket	% paid out of pocket
Office Visit	48	3,120	505	16%
Office Procedure	47	524	248	47%
Radiology	12	6,356	195	3%
Laboratory	40	1,632	149	9%
Surgery	1	2,777	487	18%
Hospital	1	3,205	0	0%
Inpat Med Care	1	136	0	0%
Rx Drugs	36	5,315	502	9%
Prostheses	1	200	200	100%
Chemotherapy	36	63,320	0	0%
Mental Health	36	2,574	140	5%
Radiation Therapy	35	8,140	1175	14%

* signifies less than 1/2 of 1%

Source of patient costs	Number encountered	Amount
Annual medical deductibles	3	$3,332
Co-pays	n/a	$0
Co-insurance	n/a	$0
Non-covered care	2	$270

† Monthly premium reflects rate quoted on ehealthinsurance.com for applicant in Sacramento in excellent health. ***Individual premiums may vary based on health status, age, and other factors.***

‡ Breast Cancer Scenario includes outpatient lumpectomy, 4 two-week cycles each of two chemotherapy regimens, 7 weeks of daily radiation therapy, one year of Herceptin therapy, short term mental health counseling, various diagnostic lab and imaging services and prescription drugs. Scenario based on treatment guidelines published by NCCN. ***Individual patient care needs may vary.***

All care assumed to be received from in-network providers following all plan rules for prior authorization. Receipt of care by non-plan providers or without required authorizations can result in substantially higher out-of-pocket costs.

Active treatment over 87 weeks beginning in May assumes patient faces annual deductibles and other cost sharing in three plan years. Diagnosis at different time during calendar year could produce different cost sharing results.

Source: Karen Pollitz et al, "Coverage when it Counts: How much protection does health insurance offer and how can consumers know?" May 8, 2009.
http://www.americanprogressaction.org/issues/2009/05/health_coverage.html

By Ms. MURKOWSKI:

S. 1053. A bill to amend the National Law Enforcement Museum Act to extend the termination date; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, this week is National Police Week, the one week each year when tens of thousands of law enforcement officers from around the U.S. and some from foreign lands descend upon Washington, DC to pay homage to the fallen officers who gave their lives in the service of our communities.

All around Washington we see police cars and motorcycles from jurisdictions far and wide. Honor guards and drill teams. And many uniformed law enforcement officers with their families and kids.

At a hotel in Alexandria, VA, thousands of surviving families and coworkers of fallen law enforcement officers are gathered for the 2009 National Police Survivors Conference, sponsored by Concerns of Police Survivors. Today marks the 25th anniversary of the founding of Concerns of Police Survivors. I thank all of our colleagues for supporting S. Res. 138 commending that organization on the occasion of this significant anniversary. Tomorrow we observe Peace Officers Memorial Day with services at the U.S. Capitol.

Last evening the National Law Enforcement Officers Memorial Fund conducted its annual candlelight vigil at the memorial on Judiciary Square. I had the privilege of reading the name of a fallen officer, John Patrick Watson of the Kenai Police Department, at the 2004 candlelight vigil. I can attest that this annual event does justice to the memory of the 18,662 names inscribed on the memorial walls.

For fifty-one weeks out of every year those memorial walls display names. Just names. There is a story of heroism behind each of these names. Yet for 51 weeks out of each year, those stories are hidden from public view. Visitors to the memorial can discover but a few of these stories by viewing the displays at the Memorial Fund's tiny visitor's center.

During National Police Week the memorial comes alive with news clippings, photographs and patches—even the door of a police car—placed at the memorial by law enforcement agencies and friends and family members of the fallen officers. These ad hoc memorials are removed at the end of Police Week. Those that are left behind become part of the National Law Enforcement Officers Memorial Fund's permanent collection. Someday more substantial parts of that collection will be displayed to the public at the National Law Enforcement Museum.

In 2000, Congress passed the National Law Enforcement Museum Act, Public Law 106–492, which set aside land across from the National Law Enforcement Officers Memorial for a National Law Enforcement Museum. The museum is to be operated by the National Law Enforcement Officers Memorial Fund.

This National Law Enforcement Museum will tell the story of our law enforcement heroes. It will help ensure that visitors to the Law Enforcement Officers Memorial have an opportunity to reflect on the ways that our fallen officers lived their lives, rather than the way those officers died.

Our colleagues may be interested to know that it was Vivian Eney-Cross, the surviving spouse of a fallen U.S. Capitol Police officer, who coined the phrase, ''It is not how these officers died that made them heroes, it is how they lived.''

The National Law Enforcement Museum Act requires that the museum be financed with private contributions. The National Law Enforcement Officers Memorial Fund has been diligent in seeking private financing and hopes to break ground on the museum in November 2010 with a 2013 opening date.

I am hopeful that construction of the new museum will begin in 2010 but I am also realistic about the difficulties of raising private funds for worthy projects given current world economic conditions.

Fortunately, these economic conditions have neither deterred the Memorial Fund from asking for donations nor have they deterred prospective contributors with the ability to give, from giving. On May 4, the Memorial Fund announced a $1.5 million grant from the Verizon Foundation to develop educational and interactive technology programs at the planned museum.

However, I must call the attention of our colleagues to a critical deadline in the National Law Enforcement Museum Act. The act provides that the authority to construct a museum terminates on November 9, 2010 if construction has not begun by that date. Today, I offer legislation that will push the termination date out to November 9, 2013. This legislation will provide a cushion for the Memorial Fund to continue their fundraising efforts.

Our law enforcement officers put their lives on the line every day to protect our communities. Giving the National Law Enforcement Officers Memorial Fund a bit more time to arrange financing, if they need it, is a small price to pay. A small price to pay for the sacrifices our law enforcement officers and their families make every day.

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. 1053

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

SECTION 1. NATIONAL LAW ENFORCEMENT MUSEUM ACT.

Section 4(f) of the National Law Enforcement Museum Act (Public Law 106–492) is amended by striking ''10 years'' and inserting ''13 years''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 149—EXPRESSING SOLIDARITY WITH THE WRITERS, JOURNALISTS, AND LIBRARIANS OF CUBA ON WORLD PRESS FREEDOM DAY AND CALLING FOR THE IMMEDIATE RELEASE OF CITIZENS OF CUBA IMPRISONED FOR EXERCISING RIGHTS ASSOCIATED WITH FREEDOM OF THE PRESS

Mr. MARTINEZ (for himself, Mr. MENENDEZ, Mr. GRAHAM, Mr. ENSIGN, Mr. NELSON of Florida, Mr. VOINOVICH, and Mr. LUGAR) submitted the following resolution; which was considered and agreed to:

S. RES. 149

Whereas Article 19 of the Universal Declaration of Human Rights provides, ''Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.'';

Whereas the United Nations General Assembly declared May 3 of each year to be ''World Press Freedom Day'' to raise awareness of the importance of freedom of expression and to remind governments of their obligation to respect the rights of free expression and of a free press;

Whereas the United States Department of State, in its 2008 report on human rights in Cuba, notes, ''The government [of Cuba] subjected independent journalists to travel bans, detentions, harassment of family and friends, equipment seizures, imprisonment, and threats of imprisonment. State Security agents posed as independent journalists to gather information on activists and spread misinformation and mistrust within independent journalist circles.'';

Whereas Reporters Without Borders, an international nongovernmental organization, continues to rank Cuba as one of the most repressive countries in the world, and the most repressive country in the Western Hemisphere, with respect to freedom of the press;

Whereas the International Press Institute, a global network of journalists, editors, and media executives, concludes that Cuba ''remains a leading jailer of journalists'';

Whereas International PEN, an international network of writers, has reported that 22 writers, journalists, and librarians were among the individuals arrested and tried during the crackdown by the Government of Cuba on independent civil society activists in the spring of 2003, and subsequently imprisoned;

Whereas International PEN further reports that ''the majority of the detained writers, journalists and librarians are suffering from health complaints caused or exacerbated by the harsh conditions and treatment they are exposed to in prison. Despite their deteriorating health status, access to adequate medical treatment is often limited.''; and

Whereas the Committee to Protect Journalists, a nonpartisan international organization of journalists, has identified more than 20 writers, journalists, and librarians in Cuba who remain imprisoned by the Government of Cuba: Now, therefore, be it

Resolved, That the Senate—

(1) expresses solidarity with—

(A) the citizens of Cuba who are suffering harassment, deprivation, or imprisonment for exercising rights associated with freedom

of the press and pursuing livelihoods as independent writers, journalists, or librarians; and

(B) the family members of those writers, journalists, and librarians; and

(2) calls on the Government of Cuba to release immediately all writers, journalists, and librarians who are imprisoned for exercising their fundamental human rights, including the citizens of Cuba that have been specifically identified by international organizations that monitor respect for the freedom of the press as being imprisoned by the Government of Cuba.

SENATE RESOLUTION 150—COMMEMORATING AND CELEBRATING THE LIVES OF OFFICER KRISTINE MARIE FAIRBANKS, DEPUTY ANNE MARIE JACKSON, AND SERGEANT NELSON KAI NG WHO GAVE THEIR LIVES IN THE SERVICE OF THE PEOPLE OF WASHINGTON STATE IN 2008

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 150

Whereas law enforcement officers throughout Washington State conduct themselves in a manner that supports, maintains, and defends the Constitution of the United States and the Constitution of the State of Washington;

Whereas law enforcement officers in Washington State and throughout the Nation risk their own lives to protect the lives of others;

Whereas since 1792, approximately 18,600 law enforcement officers were killed in the line of duty in the United States, and 262 of those officers served the people of Washington State;

Whereas in 2008, 133 law enforcement officers were killed in the line of duty in the United States;

Whereas in 2008, Deputy Anne Marie Jackson of the Skagit County Sheriff's Office, Officer Kristine Marie Fairbanks of the U.S. Forest Service, and Sergeant Nelson Kai Ng of the Ellensburg Police Department gave their lives in the service of the people of Washington State;

Whereas the family members and friends of Officer Fairbanks, Deputy Jackson, and Sergeant Ng bear the most immediate and profound burden of the absence of their loved ones; and

Whereas National Police Week is observed from May 10 to May 16, 2009, and is the most appropriate time to honor the Washington State law enforcement officers who sacrificed their lives in service to their State and Nation: Now, therefore, be it

Resolved, That the Senate—

(1) extends its condolences to the families and loved ones of Officer Kristine Marie Fairbanks, Deputy Anne Marie Jackson, and Sergeant Nelson Kai Ng; and

(2) stands in solidarity with the people of Washington State as they celebrate the lives and mourn the loss of these remarkable and selfless heroes who represented the best of their community and whose memory will serve as an inspiration for future generations.

SENATE RESOLUTION 151—DESIGNATES A NATIONAL DAY OF REMEMBRANCE ON OCTOBER 30, 2009, FOR NUCLEAR WEAPONS PROGRAM WORKERS IN THE SERVICE OF THE PEOPLE

Mr. BUNNING (for himself, Mr. ALEXANDER, Ms. MURKOWSKI, Mr. BINGAMAN, Mr. UDALL of Colorado, Mr. KENNEDY, Mr. VOINOVICH, Mr. REID, Mr. CORKER, Mr. GRASSLEY, Mrs. MURRAY, and Mr. MCCONNELL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 151

Whereas hundreds of thousands of men and women have served this Nation in building its nuclear defense since World War II;

Whereas these dedicated American workers paid a high price for their service and have developed disabling or fatal illnesses as a result of exposure to beryllium, ionizing radiation, toxic substances, and other hazards that are unique to the production and testing of nuclear weapons;

Whereas these workers were put at individual risk without their knowledge and consent in order to develop a nuclear weapons program for the benefit of all American citizens; and

Whereas these patriotic men and women deserve to be recognized for their contribution, service, and sacrifice towards the defense of our great Nation: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2009, as a national day of remembrance for American nuclear weapons program workers and uranium miners, millers, and haulers; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2009, as a national day of remembrance for past and present workers in America's nuclear weapons program.

Mr. ALEXANDER. Mr. President, today I am joining with Senator BUNNING and other senators to introduce a resolution to declare a National Day of Remembrance in honor of the thousands of men and women that supported our nuclear efforts during the Cold War.

The dedicated employees of the Department of Energy and its contractors were instrumental in our winning the Cold War. These employees worked in laboratories and factories related to nuclear weapons, under hazardous conditions that were sometimes not well understood. They put their health and their lives in jeopardy in the service of their country, often without knowing it.

Tennessee has more workers that were made sick through their exposure to nuclear weapon hazards than any other state in the union. That is why one of my priorities in the U.S. Senate has been to help get our Cold War heroes and their families the compensation they deserve—from a major overhaul of the sick worker's program in 2004, to legislation that introduced last year to ensure that compensation for the families of sick nuclear worker won't be taken away in cases where sick workers or their eligible survivors die before their claims are processed.

While the compensation program can provide some financial assistance, it can never fully make up for what was lost.

I would also like to take a moment to mention one particular heroine among these Cold War heroes: Janine Lynn Anderson, a dedicated advocate for all the American nuclear weapons workers. Janine worked tirelessly for over a decade to ensure that nuclear weapons workers were not forgotten after the Cold War was won. Sadly, Janine passed away just a week ago on May 2. She will be missed.

It was her idea that these patriotic men and women be recognized through a National Day of Remembrance, for their contribution, service, and sacrifice towards the defense of this great nation.

That is why it is particularly appropriate that today we introduce this resolution to designate October 30, 2009 as a National Day of Remembrance in honor of these Cold War heroes. I look forward to working with my colleagues from both parties to pass this resolution soon.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1111. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table.

SA 1112. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1113. Mr. THUNE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1114. Mr. MARTINEZ submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1115. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1116. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1117. Mr. LEVIN (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1118. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1119. Mr. LEVIN (for himself, Mrs. MCCASKILL, and Ms. COLLINS) submitted an

amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1120. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1121. Mr. DURBIN (for himself and Mr. BOND) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1122. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1123. Mr. BURR submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1124. Mrs. LINCOLN (for herself and Mr. PRYOR) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1125. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1126. Mrs. LINCOLN (for herself and Mr. PRYOR) submitted an amendment intended to be proposed to amendment SA 1107 submitted by Ms. COLLINS (for herself, Mr. LIEBERMAN, and Mr. BURRIS) to the amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, supra.

SA 1127. Ms. SNOWE (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 627, supra; which was ordered to lie on the table.

SA 1128. Mr. MCCONNELL (for himself and Mr. REID) proposed an amendment to the bill S. 386, to improve enforcement of mortgage fraud, securities and commodities 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 1129. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1106 submitted by Mrs. MURRAY and intended to be proposed to the amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1111. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 503. RESPA AND TILA DISCLOSURE IMPROVEMENT.

(a) COMPATIBLE DISCLOSURES.—Not later than 6 months after the date of enactment of this Act, the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') and the Board shall jointly issue for public comment proposed regulations providing for compatible disclosures to be made to borrowers to at the time of a mortgage application and at the time of closing of a mortgage.

(b) REQUIREMENTS.—Such disclosures shall—

(1) provide clear and concise information to borrowers on the terms and costs of residential mortgage transactions and mortgage transactions covered by the Truth in Lending Act (12 U.S.C. 1601 et seq.) and the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2601 et seq.);

(2) satisfy the requirements of section 128 of the Truth in Lending Act (12 U.S.C. 1638) and sections 4 and 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2603 and 2604);

(3) include early disclosures under the Truth in Lending Act, the good faith estimate disclosures under the Real Estate Settlement Procedures Act of 1974, and final disclosures under the Truth in Lending Act and the uniform settlement statement disclosures under the Real Estate Settlement Procedures Act of 1974, and provide for standardization to the greatest extent possible among such disclosures, from mortgage origination through the mortgage settlement; and

(4) include, with respect to a residential home mortgage loan, a written statement of—

(A) the principal amount of the loan;

(B) the term of the loan;

(C) whether the loan has a fixed rate of interest or an adjustable rate of interest;

(D) the annual percentage rate of interest under the loan as of the time of the disclosure;

(E) if the rate of interest under the loan can adjust after the disclosure, for each such possible adjustment—

(i) when such adjustment will or may occur; and

(ii) the maximum annual percentage rate of interest to which it can be adjusted;

(F) the total monthly payment under the loan (including loan principal and interest, property taxes, and insurance) at the time of the disclosure;

(G) the maximum total estimated monthly maximum payment pursuant to each possible adjustment described in subparagraph (E);

(H) the total settlement charges in connection with the loan and the amount of any down payment or cash required at settlement; and

(I) whether the loan has a prepayment penalty or balloon payment and the terms, timing, and amount of any such penalty or payment.

(c) SUSPENSION OF 2008 RESPA RULE.—

(1) REQUIREMENT.—The Secretary shall, during the period beginning on the date of enactment of this Act and ending on the date on which proposed regulations are issued pursuant to subsection (a), suspend implementation of any provision of the final rule referred to in paragraph (2) that would establish and implement a new standardized good faith estimate and a new standardized uniform settlement statement. Any such provision shall be replaced by the regulations issued pursuant to subsections (a) and (b) on the date on which such regulations are issued.

(2) 2008 RULE.—The final rule referred to in this paragraph is the rule of the Department of Housing and Urban Development published on November 17, 2008, on pages 68204–68288 of Volume 73 of the Federal Register (Docket No. FR–5180–F–03; relating to ''Real Estate Settlement Procedures Act (RESPA): Rule to Simplify and Improve the Process of Obtaining Mortgages and Reduce Consumer Settlement Costs'').

(d) IMPLEMENTATION.—The regulations required under subsection (a) shall take effect, and shall provide an implementation date for the new disclosures required under such regulations, not later than 12 months after the date of enactment of this Act.

(e) FAILURE TO ISSUE COMPATIBLE DISCLOSURES.—

(1) REPORT TO CONGRESS.—If the Secretary and the Board cannot agree on compatible disclosures pursuant to subsections (a) and (b), the Secretary and the Board shall submit a report to the Congress, after the 6-month period referred to in subsection (a), explaining the reasons for such disagreement.

(2) SEPARATE PROPOSED REGULATIONS.—

(A) ISSUANCE OF PROPOSED REGULATIONS.—After the 15-day period beginning on the date of submission of a report under paragraph (1), the Secretary and the Board may separately issue for public comment regulations, as required by this section, providing for disclosures under the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2601 et seq.) and the Truth in Lending Act (12 U.S.C. 1601 et seq.), respectively.

(B) EFFECTIVE DATE OF FINAL REGULATIOSN.—Any final disclosures as a result of such regulations issued by the Secretary and the Board shall take effect on the same date, and in no case shall such regulations take effect later than 12 months after the date of enactment of this Act.

(C) FAILURE TO ACT.—If either the Secretary or the Board fails to act as required by this paragraph during such 12-month period, the other agency may act independently to implement final regulations.

(f) STANDARDIZED DISCLOSURE FORMS.—

(1) IN GENERAL.—Any regulation proposed or issued pursuant to the requirements of this section shall include model disclosure forms.

(2) OPTION FOR MANDATORY USE.—In issuing proposed regulations under subsection (a), the Secretary and the Board shall include regulations for the mandatory use of standardized disclosure forms if the Secretary and the Board jointly determine that such forms would substantially benefit consumers.

SA 1112. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, strike lines 10 and 11 and insert the following:

''(6) the use of risk-based pricing;

''(7) credit card product innovation;

''(8) higher annual percentage rates of interest, on average, for users than the average of such rates of interest in effect before the effective date of this Act and the amendments made by this Act;

''(9) the imposition of annual fees or other fees—

''(A) that did not exist before such effective date;

''(B) at a higher average rate of applicability than existed before such effective date; or

''(C) with higher average costs to the consumer than were in effect before such effective date;

''(10) any increase in the rate of denial of—

''(A) new credit accounts for consumers; or

''(B) new extensions of credit or additional lines of credit for credit accounts established before such effective date; and

''(11) any other adverse or negative condition or effect on consumers.''.

SA 1113. Mr. THUNE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, line 10, strike ''Section 127'' and insert the following:

''(a) REPORT ON IMPACT; EFFECTIVE DATE.—

''(1) REPORT BY THE BOARD.—Not later than December 1, 2009, the Board shall provide an economic report to Congress detailing the impact of section 127(n) of the Truth in Lending Act, as added by this section, on consumer access to credit.

''(2) EFFECTIVE DATE.—Notwithstanding section 3 or any other provision of this Act, unless the Board certifies in writing to Congress that the economic report required by this subsection shows no potential for a material reduction in consumer access to credit, or if the Board fails to timely issue the economic report required by this subsection, section 127(n) of the Truth in Lending Act, as added by this section, shall become effective 2 years after the date of enactment of this Act. The effective date provided in section 3 shall apply to such section 127(n) if the Board certifies that the report shows no potential reduction in consumer access to credit.

''(b) AMENDMENT TO TILA.—Section 127''.

SA 1114. Mr. MARTINEZ submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 503. ADDITIONAL MONITORING AND ACCOUNTABILITY FOR THE TROUBLED ASSET RELIEF PROGRAM.

(a) IN GENERAL.—Section 113 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5223) is amended by adding at the end the following new subsection:

''(e) ADDITIONAL MONITORING AND ACCOUNTABILITY.—

''(1) IN GENERAL.—The Secretary shall—

''(A) provide to the Special Inspector General appointed under section 121, the Comptroller General of the United States, and the Congressional Oversight Panel established under section 125 ongoing, continuous, and close to real-time updates of the status of the use of funds distributed under this title, including with respect to procurement contracts, through a standardized electronic database that combines all of the necessary information from existing public and private sources;

''(B) compare the data in such database with any other data that the Secretary chooses to review for any activities that are inconsistent with the purposes of this Act;

''(C) collect from all Federal agencies any regulatory filings, data generated by the use of internal models, financial models, and analytics associated with the financial assistance received under this title on no less than a daily basis to help enable the Secretary to determine the effectiveness of the Troubled Asset Relief Program in stimulating prudent lending and strengthening bank capital;

''(D) if the Secretary determines that the goals of this title are not being met, work with the Federal agencies supplying the information to have them provide the recipients with recommendations for better meeting the goals of this title; and

''(E) if the Secretary determines that the goals of this title are not met following such recommendations, adjust the future uses of assistance available under this title.

''(2) DATABASE AS REPOSITORY.—To the extent practicable, all information that is required to be reported under this title by institutions receiving financial assistance or procurement contracts under this title shall be included by the Secretary in the database established pursuant to paragraph (1)(A).

''(3) PROCEDURES AND REGULATIONS.—The Secretary shall, in consultation with the appropriate Federal banking agencies, define and manage the procedures and regulations needed for carrying out this subsection.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 60 days after the date of enactment of this Act.

SA 1115. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 34, line 12, strike all through page 35, line 24, and insert the following:

SEC. 301. EXTENSIONS OF CREDIT TO CONSUMERS.

Section 127(c) of the Truth in Lending Act (15 U.S.C. 1637(c)) is amended by adding at the end the following:

''(8) VERIFICATION OF ABILITY TO PAY.—

''(A) PROHIBITION ON ISSUANCE.—No credit card may be issued to, or open end consumer credit plan established by or on behalf of, a consumer, unless the consumer has submitted a written application to the card issuer that meets the requirements of subparagraph (B).

''(B) APPLICATION REQUIREMENTS.—An application to open a credit card account by a consumer shall require—

''(i) the signature of a cosigner having a means to repay debts incurred by the consumer in connection with the account, indicating joint liability for debts incurred by the consumer in connection with the account; or

''(ii) submission by the consumer of financial information, including through an application, indicating an independent means of repaying any obligation arising from the proposed extension of credit in connection with the account.

''(C) SAFE HARBOR.—The Board shall promulgate regulations providing standards that, if met, would satisfy the requirements of subparagraph (B)(ii).''.

SA 1116. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 109. FIRM OFFER OF CREDIT.

Section 603(l) of the Fair Credit Reporting Act (15 U.S.C. 1681a(l)) is amended to read as follows:

''(1) FIRM OFFER OF CREDIT.—

''(1) DEFINITION.—The term 'firm offer of credit' means any offer of credit to a consumer that specifies all material terms, and will be honored if the consumer is determined to meet the specific criteria used to select the consumer for the offer, based on information in a consumer report on the consumer.

''(2) REQUIRED DISCLOSURES IN OFFERS OF CREDIT.—In the case of a firm offer of credit, the offer shall set forth the specific annual percentage rate, fees, and amount of credit or credit limit applicable to the offer.

''(3) ACCEPTABLE CONDITIONS.—A firm offer of credit to a consumer may be further conditioned on—

''(A) verification that the consumer continues to meet the specific criteria used to select the consumer for the offer, by using information in a consumer report on the consumer, information in the application of the consumer for the credit, or other information bearing on the credit worthiness of the consumer;

''(B) the consumer furnishing any collateral that is a requirement for the extension of the credit that was—

''(i) established before selection of the consumer for the offer of credit; and

''(ii) disclosed to the consumer in the offer of credit; or

''(C) any combination of the criteria in subparagraphs (A) and (B).''.

SA 1117. Mr. LEVIN (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, strike lines 5 through 12, and insert the following:

''(a) IN GENERAL.—

''(1) The amount of any penalty fee or charge that a card issuer may impose with respect to a credit card account under an open end consumer credit plan in connection with any omission with respect to, or violation of, the cardholder agreement, including any late payment fee, over the limit fee, or any other penalty fee or charge, shall be reasonable and proportional to such omission or violation.

''(2) A fee amount shall not be treated as reasonable and proportional under paragraph (1) if such card issuer increases such fee amount by charging interest with respect to such fee amount.''.

SA 1118. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to

the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, strike lines 5 through 12, and insert the following:

''(a) IN GENERAL.—

''(1) The amount of any penalty fee or charge that a card issuer may impose with respect to a credit card account under an open end consumer credit plan in connection with any omission with respect to, or violation of, the cardholder agreement, including any late payment fee, over-the-limit fee, or any other penalty fee or charge, shall be reasonable and proportional to such omission or violation.

''(2) An over-the-limit fee amount may be treated as reasonable and proportional under paragraph (1) only if the over-the-limit fee is imposed only once during a billing cycle when, on the last day of such billing cycle, the credit limit on the account is exceeded, and only if the over-the-limit fee, with respect to such excess credit, may be imposed only once in each of the 2 subsequent billing cycles unless the consumer has obtained an additional extension of credit in excess of such credit limit during any such subsequent cycle or the consumer reduces the outstanding balance below the credit limit as of the end of such billing cycle.''.

SA 1119. Mr. LEVIN (for himself, Mrs. MCCASKILL, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, line 18, through page 47, line 11, strike the text and insert the following—

''(a) REQUIRED REVIEW.—

''(1) IN GENERAL.—Not later than 2 years after the effective date of this Act and every 2 years thereafter, except as provided in subsection (c)(2), the Board shall conduct a review of the consumer credit card market, including—

''(A) the terms of credit card agreements and the practices of credit card issuers;

''(B) the effectiveness of disclosures of terms, fees, and other expenses of credit card plans;

''(C) the adequacy of protections against unfair or deceptive acts or practices relating to credit card plans;

''(D) the cost and availability of credit, particularly with respect to non-prime borrowers;

''(E) the safety and soundness of credit card issuers;

''(F) the use of risk-based pricing; and

''(G) credit card product innovation; and

''(2) CREDIT CARD DATA.—In conducting the review under paragraph (1), the Board shall consider information collected under section 136 of the Truth in Lending Act (15 U.S.C. 1646); and to ensure an adequate review of the matters in subparagraphs (1)(A), (C), (D), (F), and (G), and to carry out section 149 of the Truth in Lending Act on the reasonableness and proportionality of credit card fees and charges, as amended by this Act, the Board shall require that the information collected under section 136(b) of the Truth in Lending Act (15 U.S.C. 1646(b)) shall include the following—

''(A) a list of each type of transaction or event during the relevant semiannual period for which one or more card issuer has imposed a separate interest rate upon a cardholder, including purchases, cash advances, and balance transfers;

''(B) for each type of transaction or event identified under subparagraph (A)—

''(i) each distinct interest rate charged by the card issuer to a cardholder during the semiannual period; and

''(ii) the number of cardholders to whom each such interest rate was applied during the last calendar month of the semiannual period, and the total amount of interest charged to such cardholders at each such rate during such month;

''(C) a list of each type of fee that one or more card issuer has imposed upon a cardholder during the relevant semiannual period, including any fee imposed for obtaining a cash advance, making a late payment, exceeding the credit limit on an account, making a balance transfer, or exchanging United States dollars for foreign currency;

''(D) for each type of fee identified under clause (C), the number of cardholders upon whom the fee was imposed during each calendar month of the relevant semiannual period, and the total amount of fees imposed upon cardholders during such month;

''(E) the total number of cardholders that incurred any interest charge or any fee during the relevant semiannual period; and

''(F) any other information related to interest rates, fees, or other charges that the Board deems of interest to conduct the review under this section or carry out section 149 of the Truth in Lending Act, as amended by this Act.

''(3) INCOME ANALYSIS.—To ensure an adequate review of the matters in subparagraphs (1)(A), (C), (D), (E), (F) and (G), the Board shall, on an annual basis, transmit to Congress and make public a report containing an assessment by the Board of the approximate, relative percentage of income derived by credit card operations of depository institutions from—

''(A) the imposition of interest rates on cardholders, including separate estimates for—

''(i) interest with an annual percentage rate of less than 25 percent, and

''(ii) interest with an annual percentage rate equal to or greater than 25 percent;

''(B) the imposition of fees on cardholders;

''(C) the imposition of fees on merchants; and

''(D) any other material source of income, while specifying the nature of that income.''.

SA 1120. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 503. REPORTS ON ISSUER PRACTICES DURING THE INTERIM PERIOD BETWEEN THE DATE OF ENACTMENT AND THE EFFECTIVE DATE.

(a) REPORTS TO AGENCIES REQUIRED.—

(1) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, and every 45 days thereafter, each card issuer shall submit to the appropriate enforcement agency a report containing data on any increase in consumer interest rates by the card issuer made on or after May 1, 2009 that would be prohibited if such increase took place after the effective date of this Act.

(2) CONTENTS OF REPORTS.—The reports required under paragraph (1)—

(A) shall include—

(i) the number of cardholders affected by each such increase;

(ii) the categories of cardholders affected by each such increase;

(iii) the size of each such increase;

(iv) the reason for each such increase; and

(v) a summary of the volume and nature of any complaints received from cardholders concerning interest rate increases that would be prohibited if such increases took place after the effective date of this Act; and

(B) need not include information on individually negotiated changes to contractual terms, such as individually modified workouts or renegotiations of amounts owed by a consumer under an open end consumer credit plan.

(b) SUMMARY OF DATA ON COMPLAINTS.—Each appropriate enforcement agency shall—

(1) summarize information on the volume and nature of any complaints received by such agency from a consumer concerning interest rate increases that would be prohibited if such increases took place after the effective date of this Act; and

(2) provide such summary to the Board for purposes of subsection (d).

(c) REPORTS AND DATA AVAILABLE TO PUBLIC.—Each appropriate enforcement agency shall make the reports and data required under subsections (a) and (b) available to the public.

(d) REPORTS TO CONGRESS.—

(1) REPORTS REQUIRED.—The Board shall submit to Congress periodic reports on practices of creditors that contain a compilation of the reports and data required under subsections (a) and (b).

(2) AGENCY COOPERATION.—Each appropriate enforcement agency shall provide compilations of any reports it receives under this section to the Board for purposes of this subsection.

(3) TIMING OF REPORTS.—The Board shall submit the reports required under paragraph (1) not later than 90 days after the date of enactment of this Act, and every 90 days thereafter.

(e) EFFECTIVE DATE.—Notwithstanding section 3 of this Act, this section shall be effective during the period beginning on the date of enactment of this Act and ending on the effective date of this Act under section 3.

(f) DEFINITIONS.—In this section—

(1) the term ''appropriate enforcement agency'' means, with respect to a card issuer, the agency responsible for administrative enforcement relating to such card issuer under section 108 of the Truth in Lending Act (15 U.S.C. 1607); and

(2) the terms ''cardholder'', ''card issuer'', ''consumer'', and ''open end credit plan'' have the same meanings as section 103 of the Truth in Lending Act (15 U.S.C. 1602).

SA 1121. Mr. DURBIN (for himself and Mr. BOND) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 109. CONSUMER DISCOUNTS; TRANSPARENCY IN MERCHANT FEE INFORMATION.

(a) IN GENERAL.—Section 167 of the Truth in Lending Act (15 U.S.C. 1666f) is amended to read as follows:

"SEC. 167. INDUCEMENTS TO CARD HOLDERS BY SELLERS OF DISCOUNTS FOR PAYMENTS BY CASH, CHECK, OR DEBIT CARDS; FINANCE CHARGE FOR SALES TRANSACTIONS INVOLVING DISCOUNTS.

''(a) CASH, CHECK, AND DEBIT DISCOUNTS.—With respect to a credit card which may be used for extensions of credit in sales transactions in which the seller is a person other than the card issuer, the card issuer and any other covered person may not, by contract, rule, or otherwise, prohibit any such seller from offering a discount to a cardholder to induce the cardholder to pay by cash, check, debit card, or similar payment device, rather than by use of a credit card.

''(b) FINANCE CHARGE.—With respect to any sales transaction, any discount from the regular price offered by the seller for the purpose of inducing payment by a means not involving the use of an open end credit plan or credit card shall not constitute a finance charge, as determined under section 106, if the seller—

''(1) offers the discount to all prospective buyers; and

''(2) discloses the availability of the discount to consumers clearly and conspicuously.

''(c) DISCOUNT DISPLAY RESTRICTIONS.—With respect to a credit card which may be used for extensions of credit in sales transactions in which the seller is a person other than the card issuer, the card issuer or any other covered person may not, by contract, rule, or otherwise, restrict the discretion of the seller as to how to display or advertise the discounts offered by the seller.

''(d) DEFINITIONS.—For purposes of this section—

''(1) the term 'covered person' means—

''(A) an electronic payment system network;

''(B) a licensed member of an electronic payment system network; and

''(C) any other person that sets or implements the rules for the use of an electronic payment system network.''.

(b) DEFINITIONS.—Section 103 of the Truth in Lending Act (15 U.S.C. 1602) is amended—

(1) in subsection (x), by striking ''or similar means'' and inserting ''debit card or similar payment device''; and

(2) by adding at the end the following:

''(cc) DEBIT CARD.—The term 'debit card' means any general-purpose card or other device issued or approved for use by a financial institution (as that term is defined in section 903 of the Electronic Fund Transfer Act (15 U.S.C. 1693a)) for use in debiting an account for the purpose of the cardholder obtaining goods or services, whether authorization is signature-based, PIN-based, or otherwise.

''(dd) ELECTRONIC PAYMENT SYSTEM NETWORK.—The term 'electronic payment system network' means a network that provides, through licensed members, processors, or agents—

''(1) for the issuance of credit cards, debit cards, or other payment cards or similar devices bearing any logo of the network;

''(2) the proprietary services and infrastructure that route information and data to facilitate transaction authorization, clearance, and settlement that merchants must access in order to accept credit cards, debit cards, or other payment cards or similar devices bearing any logo of the network as payment for goods and services; and

''(3) for the screening and acceptance of merchants into the network in order to allow such merchants to accept credit cards, debit cards, or other payment cards or similar devices bearing any logo of the network as payment for goods and services.

''(ee) LICENSED MEMBER.—The term 'licensed member', in connection with any electronic payment system network, includes—

''(1) any creditor or credit card issuer that is authorized to issue credit cards or charge cards bearing any logo of the network;

''(2) any financial institution (as that term is defined in section 903 of the Electronic Fund Transfer Act (15 U.S.C. 1693a)) that is authorized to issue debit cards to consumers who maintain accounts at such financial institution; and

''(3) any person, including any financial institution, that is authorized—

''(A) to screen and accept merchants into any program under which any credit card, debit card, or other payment card or similar device bearing any logo of such network may be accepted by the merchant for payment for goods or services;

''(B) to process transactions on behalf of any such merchant for payment; and

''(C) to complete financial settlement of any such transaction on behalf of such merchant.''.

SA 1122. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 503. FEDERAL TRADE COMMISSION RULEMAKING ON MORTGAGE LENDING.

(a) IN GENERAL.—Section 626 of division D of the Omnibus Appropriations Act, 2009 (Public Law 111–8) is amended—

(1) in subsection (a)—

(A) by striking ''Within'' and inserting ''(1) Within''; and

(B) by adding at the end the following:

''(2) Paragraph (1) shall not be construed to authorize the Federal Trade Commission to promulgate a rule with respect to an entity that is not subject to enforcement of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) by the Commission.

''(3) The Federal Trade Commission shall enforce the rules promulgated pursuant to paragraph (1) in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made part of this section.

''(4) An entity owned and controlled by a depository institution and regulated by the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Office of Thrift Supervision, or the National Credit Union Administration shall not be subject to any rule prescribed under paragraph (1) if the entity is subject to a rule on the same subject matter prescribed by the Board of Governors of the Federal Reserve System pursuant to section 105 or 129(l) of the Truth in Lending Act (15 U.S.C. 1604 and 1639(l)).'';

(2) by striking so much of subsection (b) as precedes paragraph (2) and inserting the following:

''(b)(1) Except as provided in paragraph (6), in any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person subject to a rule prescribed under subsection (a) in a practice that violates such rule, the State, as parens patriae, may bring a civil action on behalf of the residents of the State in an appropriate district court of the United States or other court of competent jurisdiction—

''(A) to enjoin that practice;

''(B) to enforce compliance with the rule;

''(C) to obtain damages, restitution, or other compensation on behalf of residents of the State; or

''(D) to obtain penalties and relief provided by the Federal Trade Commission Act or the rule and such other relief as the court considers appropriate.''; and

(3) by adding at the end of subsection (b) the following:

''(8) Paragraph (1) shall not be construed to authorize the attorney general of a State to bring an action under this subsection against an entity subject to enforcement by the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Office of Thrift Supervision, or the National Credit Union Administration under section 108(a) of the Truth in Lending Act (15 U.S.C. 1607(a)), including an entity described in subsection (a)(4) of this section.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on March 12, 2009.

SA 1123. Mr. BURR submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 503. DEFERRAL OF PAYMENTS AND INTEREST ON OBLIGATIONS INCURRED BY SERVICEMEMBERS BEFORE SERVICE IN A COMBAT ZONE.

(a) IN GENERAL.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

"SEC. 208. DEFERRAL OF PAYMENTS AND INTEREST ON OBLIGATIONS INCURRED BY SERVICEMEMBERS BEFORE SERVICE IN A COMBAT ZONE.

''(a) IN GENERAL.—Payment on any obligation or liability that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, before the servicemember is ordered or assigned to military service in a combat zone shall, upon request of the servicemember in accordance with subsection (b), be deferred and shall not accrue interest during the period the servicemember performs such military service in such combat zone, plus—

''(1) in the case of a servicemember who is retired for disability incurred during such military service, until one year from the date of such retirement; or

''(2) in the case of any other servicemember, 90 days.

''(b) WRITTEN NOTICE TO CREDITOR.—In order for an obligation or liability of a servicemember to be deferred in accordance with subsection (a), the servicemember shall provide the creditor written notice and a copy of the military orders ordering or assigning the servicemember to military service in a combat zone not later than 30 days after the

date of the servicemember's order or assignment to such military service. In the event the servicemember's military service in a combat zone is extended, the servicemember shall provide the creditor written notice and a copy of the military orders extending such service not later than 30 days after the date of the order extending such military service.

''(c) LIMITATION EFFECTIVE AS OF DATE OF ORDERS.—Upon receipt of written notice and a copy of orders ordering or assigning a servicemember to military service in a combat zone under subsection (b), the creditor shall treat the obligation or liability in accordance with subsection (a), effective as of the date on which the servicemember is called or assigned to such military service.

''(d) CREDITOR PROTECTION.—A court may grant a creditor relief from the limitations of subsection (a) if, in the opinion of the court, the ability of the servicemember to pay the obligation or liability is not materially affected by reason of the servicemember's military service in a combat zone.

''(e) DEFINITIONS.—In this section:

''(1) The term 'interest' includes service charges, renewal charges, fees, or any other charges (other than bona fide insurance) with respect to an obligation or liability.

''(2) The term 'combat zone' means a combat zone for purposes of section 112 of the Internal Revenue Code of 1986.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 207 the following new item:

''Sec. 208. Deferral of payments and interest on obligations incurred by servicemembers before service in a combat zone.''.

SA 1124. Mrs. LINCOLN (for herself and Mr. PRYOR) submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 503. EXTENSION OF LIMITATIONS.

(a) IN GENERAL.—Section 44(f)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1831u(f)(1)) is amended—

(1) in subparagraph (B), by striking the period at the end and inserting ''; and'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by striking ''equal to not more than the greater of—'' and inserting the following: ''equal to—

''(A) not more than the greater of—''; and

(4) by adding at the end the following:

''(B) the State's maximum lawful annual percentage rate or 17 percent, to facilitate the uniform implementation of federally mandated or federally established programs and financings related thereto, including—

''(i) uniform accessibility of student loans, including the issuance of qualified student loan bonds as set forth in section 144(b) of the Internal Revenue Code of 1986;

''(ii) the uniform accessibility of mortgage loans, including the issuance of qualified mortgage bonds and qualified veterans' mortgage bonds as set forth in section 143 of such Code;

''(iii) the uniform accessibility of safe and affordable housing programs administered or subject to review by the Department of Housing and Urban Development, including—

''(I) the issuance of exempt facility bonds for qualified residential rental property as set forth in section 142(d) of such Code;

''(II) the issuance of low income housing tax credits as set forth in section 42 of such Code, to facilitate the uniform accessibility of provisions of the American Recovery and Reinvestment Act of 2009; and

''(III) the issuance of bonds and obligations issued under that Act, to facilitate economic development, higher education, and improvements to infrastructure, and the issuance of bonds and obligations issued under any provision of law to further the same; and

''(iv) to facilitate interstate commerce generally, including consumer loans, in the case of any person or governmental entity (other than a depository institution subject to subparagraph (A) and paragraph (2)).''.

(b) EFFECTIVE PERIOD.—The amendments made by subsection (a) shall apply with respect to contracts consummated during the period beginning on the date of enactment of this Act and ending on December 31, 2010.

SA 1125. Mr. DORGAN submitted an amendment intended to be proposed to amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, and the following:

SEC. ———. FEDERAL TRADE COMMISSION RULEMAKING ON MORTGAGE LENDING.

(a) IN GENERAL.—Section 626 of Division D of the Omnibus Appropriations Act, 2009 (Public Law 111–8) is amended—

(1) by inserting ''(1) in subsection (a) before ''Within'';

(2) by inserting after paragraph (1) of subsection (a) (as designated by paragraph (1)), the following:

''(2) Paragraph (1) shall not be construed to authorize the Federal Trade Commission to promulgate a rule with respect to an entity that is not subject to enforcement of the Federal Trade Commission Act (15 U.S.C.41 et seq.) by the Commission.

''(3) The Federal Trade Commission shall enforce the provisions of this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made part of this section.'';

(3) by striking so much of subsection (b) as precedes paragraph (2) and inserting the following:

''(b)(1) Except as provided in paragraph (6), in any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person subject to a rule prescribed under subsection (a) in a practice that violates such rule, the State, as parens patriae, may bring a civil action on behalf of the residents of the State in an appropriate district court of the United States or other court of competent jurisdiction—

''(A) to enjoin that practice;

''(B) to enforce compliance with the rule;

''(C) to obtain damages, restitution, or other compensation on behalf of residents of the State; or

''(D) to obtain penalties and relief provided by the Federal Trade Commission Act or the rule and such other relief as the court considers appropriate.''; and

(4) by adding at the end of subsection (b) the following:

''(8) Paragraph (1) shall not be construed to authorize the attorney general of a State to bring an action under this subsection against an entity subject to supervision or regulation by the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Federal Reserve Board, the Office of Thrift Supervision, the National Credit Union Administration Board, or any other Federal banking agency.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on March 12, 2009.

SA 1126. Mrs. LINCOLN (for herself and Mr. PRYOR) submitted an amendment intended to be proposed to amendment SA 1107 submitted by Ms. COLLINS (for herself, Mr. LIEBERMAN, and Mr. BURRIS) to the amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; as follows:

At the end of the amendment, add the following:

SEC. 504. EXTENSION OF LIMITATIONS.

(a) IN GENERAL.—Section 44(f)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1831u(f)(1)) is amended—

(1) in subparagraph (B), by striking the period at the end and inserting ''; and'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by striking ''equal to not more than the greater of—'' and inserting the following: ''equal to—

''(A) not more than the greater of—''; and

(4) by adding at the end the following:

''(B) the State's maximum lawful annual percentage rate or 17 percent, to facilitate the uniform implementation of federally mandated or federally established programs and financings related thereto, including—

''(i) uniform accessibility of student loans, including the issuance of qualified student loan bonds as set forth in section 144(b) of the Internal Revenue Code of 1986;

''(ii) the uniform accessibility of mortgage loans, including the issuance of qualified mortgage bonds and qualified veterans' mortgage bonds as set forth in section 143 of such Code;

''(iii) the uniform accessibility of safe and affordable housing programs administered or subject to review by the Department of Housing and Urban Development, including—

''(I) the issuance of exempt facility bonds for qualified residential rental property as set forth in section 142(d) of such Code;

''(II) the issuance of low income housing tax credits as set forth in section 42 of such Code, to facilitate the uniform accessibility of provisions of the American Recovery and Reinvestment Act of 2009; and

''(III) the issuance of bonds and obligations issued under that Act, to facilitate economic development, higher education, and improvements to infrastructure, and the issuance of bonds and obligations issued under any provision of law to further the same; and

''(iv) to facilitate interstate commerce generally, including consumer loans, in the case of any person or governmental entity (other than a depository institution subject to subparagraph (A) and paragraph (2)).''.

(b) EFFECTIVE PERIOD.—The amendments made by subsection (a) shall apply with respect to contracts consummated during the period beginning on the date of enactment of this Act and ending on December 31, 2010.

SA 1127. Ms. SNOWE (for herself and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SMALL BUSINESS INFORMATION SECURITY TASK FORCE.

(a) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''small business concern'' has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632); and

(3) the term ''task force'' means the task force established under subsection (b).

(b) ESTABLISHMENT.—The Administrator shall, in conjunction with the Department of Homeland Security, establish a task force, to be known as the Small Business Information Security Task Force, to address the information technology security needs of small business concerns and to help small business concerns prevent the loss of credit card data.

(c) DUTIES.—The task force shall—

(1) identify—

(A) the information technology security needs of small business concerns; and

(B) the programs and services provided by the Federal Government, State Governments, and nongovernment organizations that serve those needs;

(2) assess the extent to which the programs and services identified under paragraph (1)(B) serve the needs identified under paragraph (1)(A);

(3) make recommendations to the Administrator on how to more effectively serve the needs identified under paragraph (1)(A) through—

(A) programs and services identified under paragraph (1)(B); and

(B) new programs and services promoted by the task force;

(4) make recommendations on how the Administrator may promote—

(A) new programs and services that the task force recommends under paragraph (3)(B); and

(B) programs and services identified under paragraph (1)(B);

(5) make recommendations on how the Administrator may inform and educate with respect to—

(A) the needs identified under paragraph (1)(A);

(B) new programs and services that the task force recommends under paragraph (3)(B); and

(C) programs and services identified under paragraph (1)(B);

(6) make recommendations on how the Administrator may more effectively work with public and private interests to address the information technology security needs of small business concerns; and

(7) make recommendations on the creation of a permanent advisory board that would make recommendations to the Administrator on how to address the information technology security needs of small business concerns.

(d) INTERNET WEBSITE RECOMMENDATIONS.—The task force shall make recommendations to the Administrator relating to the establishment of an Internet website to be used by the Administration to receive and dispense information and resources with respect to the needs identified under subsection (c)(1)(A) and the programs and services identified under subsection (c)(1)(B). As part of the recommendations, the task force shall identify the Internet sites of appropriate programs, services, and organizations, both public and private, to which the Internet website should link.

(e) EDUCATION PROGRAMS.—The task force shall make recommendations to the Administrator relating to developing additional education materials and programs with respect to the needs identified under subsection (c)(1)(A).

(f) EXISTING MATERIALS.—The task force shall organize and distribute existing materials that inform and educate with respect to the needs identified under subsection (c)(1)(A) and the programs and services identified under subsection (c)(1)(B).

(g) COORDINATION WITH PUBLIC AND PRIVATE SECTOR.—In carrying out its responsibilities under this section, the task force shall coordinate with, and may accept materials and assistance as it determines appropriate from, public and private entities, including—

(1) any subordinate officer of the Administrator;

(2) any organization authorized by the Small Business Act to provide assistance and advice to small business concerns;

(3) other Federal agencies, their officers, or employees; and

(4) any other organization, entity, or person not described in paragraph (1), (2), or (3).

(h) APPOINTMENT OF MEMBERS.—

(1) CHAIRPERSON AND VICE-CHAIRPERSON.—The task force shall have—

(A) a Chairperson, appointed by the Administrator; and

(B) a Vice-Chairperson, appointed by the Administrator, in consultation with appropriate nongovernmental organizations, entities, or persons.

(2) MEMBERS.—

(A) CHAIRPERSON AND VICE-CHAIRPERSON.—The Chairperson and the Vice-Chairperson shall serve as members of the task force.

(B) ADDITIONAL MEMBERS.—

(i) IN GENERAL.—The task force shall have additional members, each of whom shall be appointed by the Chairperson, with the approval of the Administrator.

(ii) NUMBER OF MEMBERS.—The number of additional members shall be determined by the Chairperson, in consultation with the Administrator, except that—

(I) the additional members shall include, for each of the groups specified in paragraph (3), at least 1 member appointed from within that group; and

(II) the number of additional members shall not exceed 13.

(3) GROUPS REPRESENTED.—The groups specified in this paragraph are—

(A) subject matter experts;

(B) users of information technologies within small business concerns;

(C) vendors of information technologies to small business concerns;

(D) academics with expertise in the use of information technologies to support business;

(E) small business trade associations;

(F) Federal, State, or local agencies, including the Department of Homeland Security, engaged in securing cyberspace; and

(G) information technology training providers with expertise in the use of information technologies to support business.

(4) POLITICAL AFFILIATION.—The appointments under this subsection shall be made without regard to political affiliation.

(i) MEETINGS.—

(1) FREQUENCY.—The task force shall meet at least 2 times per year, and more frequently if necessary to perform its duties.

(2) QUORUM.—A majority of the members of the task force shall constitute a quorum.

(3) LOCATION.—The Administrator shall designate, and make available to the task force, a location at a facility under the control of the Administrator for use by the task force for its meetings.

(4) MINUTES.—

(A) IN GENERAL.—Not later than 30 days after the date of each meeting, the task force shall publish the minutes of the meeting in the Federal Register and shall submit to Administrator any findings or recommendations approved at the meeting.

(B) SUBMISSION TO CONGRESS.—Not later than 60 days after the date that the Administrator receives minutes under subparagraph (A), the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives such minutes, together with any comments the Administrator considers appropriate.

(5) FINDINGS.—

(A) IN GENERAL.—Not later than the date on which the task force terminates under subsection (m), the task force shall submit to the Administrator a final report on any findings and recommendations of the task force approved at a meeting of the task force.

(B) SUBMISSION TO CONGRESS.—Not later than 90 days after the date on which the Administrator receives the report under subparagraph (A), the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives the full text of the report submitted under subparagraph (A), together with any comments the Administrator considers appropriate.

(j) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the task force shall serve without pay for their service on the task force.

(2) TRAVEL EXPENSES.—Each member of the task force shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(3) DETAIL OF SBA EMPLOYEES.—The Administrator may detail, without reimbursement, any of the personnel of the Administration to the task force to assist it in carrying out the duties of the task force. Such a detail shall be without interruption or loss of civil status or privilege.

(4) SBA SUPPORT OF THE TASK FORCE.—Upon the request of the task force, the Administrator shall provide to the task force the administrative support services that the Administrator and the Chairperson jointly determine to be necessary for the task force to carry out its duties.

(k) NOT SUBJECT TO FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the task force.

(l) STARTUP DEADLINES.—The initial appointment of the members of the task force shall be completed not later than 90 days after the date of enactment of this Act, and the first meeting of the task force shall be not later than 180 days after the date of enactment of this Act.

(m) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the task force shall terminate at the end of fiscal year 2013.

(2) EXCEPTION.—If, as of the termination date under paragraph (1), the task force has not complied with subsection (i)(4) with respect to 1 or more meetings, then the task force shall continue after the termination date for the sole purpose of achieving compliance with subsection (i)(4) with respect to those meetings.

(n) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $300,000 for each of fiscal years 2010 through 2013.

SA 1128. Mr. MCCONNELL (for himself and Mr. REID) proposed an amendment to the bill S. 386, to improve enforcement of mortgage fraud, securities and commodities 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 31, line 13, after ''the Commission'' insert '', including an affirmative vote of at least one member appointed under subparagraph (C) or (D) of subsection (b)(1)''.

SA 1129. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1106 submitted by Mrs. MURRAY and intended to be proposed to the amendment SA 1058 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 503. FINANCIAL AND ECONOMIC LITERACY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Financial Literacy and Education Commission shall—

(1) evaluate and compile a comprehensive summary of all existing Federal financial and economic literacy education programs, as of the time of the report; and

(2) prepare and submit a report to Congress that includes—

(A) the findings of the evaluations and the effectiveness of Federal financial and economic literacy education programs, including programs included in the Commission's 2006 National Strategy for Financial Literacy report;

(B) recommendations for improvements to Federal financial and economic literacy education programs;

(C) specific Federal policies that should be implemented, updated, or changed to improve financial and economic literacy education;

(D) a description of any gaps that exist in research on financial and economic literacy education, and recommendations on research that would fill those gaps;

(E) specific recommendations on sources of revenue to support financial and economic literacy education activities, with a specific analysis of the potential use of credit card transaction fees; and

(F) recommendations for ways to increase the awareness of elementary and secondary schools, postsecondary educational institutions, and the general public of the Commission's website, www.MyMoney.gov, or any successor to such website.

(b) EFFECTIVE DATE.—Notwithstanding section 3, this section shall become effective on the date of enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before Committee on Energy and Natural Resources. The business meeting will be held on Tuesday, May 19, 2009 at 2:15 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending energy legislation.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, May 14, 2009, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate to conduct a business meeting on Thursday, May 14, 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 ENERGY AND NATURAL RESOURCES

Mr. DODD. 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 Thursday, May 14, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, May 14, 2009, at 10 a.m., in room 215 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 14, 2009, at 9:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 14, 2009, at 2 p.m., to hold a hearing entitled ''The Middle East: The Road to Peace.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Delivery Reform: The Roles of Primary and Specialty Care in Innovative New Delivery Methods'' on Thursday, May 14, 2009. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, May 14, 2009, at 10:30 a.m. in room 628 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DODD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 14, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the privileges of the floor be granted to Gil Duran of my staff for the length of my presentation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DODD. Mr. President, I ask unanimous consent that privileges of the floor be granted for the remainder of this Congress to the following members of my staff: Monica Feit and Rachel Shoemate.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DODD. Mr. President, I have a series of unanimous consent requests that I wish to propound.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 40 and 85; that the nominations be confirmed en bloc; the motions to reconsider be laid upon the table en bloc; that no further motions be in order and any statements relating thereto 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 nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Philip H. Gordon, of the District of Columbia, to be an Assistant Secretary of State (European and Eurasian Affairs).

EXPORT-IMPORT BANK OF THE UNITED STATES

Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2013.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

COMMENDING SOUTH CHARLESTON, WEST VIRGINIA

Mr. DODD. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. Res. 146 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 146) commending South Charleston, West Virginia, for celebrating its 50th annual Armed Forces Day on May 16, 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed; that the motions to reconsider be laid upon the table; and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 146) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 146

Whereas Americans appreciate the courage, loyalty, and sacrifice of every individual who serves in the Armed Forces of the United States;

Whereas Armed Forces Day is celebrated on the third Saturday in May to honor those Americans serving in the Army, Navy, Marine Corps, Air Force, and Coast Guard;

Whereas Armed Forces Day was established on August 31, 1949, following the consolidation of the military services of the United States into the Department of Defense;

Whereas Armed Forces Day is celebrated with parades, open houses, receptions, and air shows around the Nation; and

Whereas on May 16, 2009, South Charleston, West Virginia, will observe its 50th annual Armed Forces Day with a parade, music, and other entertainment: Now, therefore, be it

Resolved, That the Senate commends South Charleston, West Virginia, for conducting Armed Forces Day celebrations for 50 consecutive years and for honoring the selfless dedication and bravery of the men and women of the United States Army, Navy, Marine Corps, Air Force, and Coast Guard.

EXPRESSING SOLIDARITY ON WORLD PRESS FREEDOM DAY

Mr. DODD. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 149, 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. 149) expressing solidarity with the writers, journalists and librarians of Cuba on World Press Freedom Day and calling for the immediate release of citizens of Cuba imprisoned for exercising rights associated with freedom of the press.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 149) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 149

Whereas Article 19 of the Universal Declaration of Human Rights provides, ''Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.'';

Whereas the United Nations General Assembly declared May 3 of each year to be ''World Press Freedom Day'' to raise awareness of the importance of freedom of expression and to remind governments of their obligation to respect the rights of free expression and of a free press;

Whereas the United States Department of State, in its 2008 report on human rights in Cuba, notes, ''The government [of Cuba] subjected independent journalists to travel bans, detentions, harassment of family and friends, equipment seizures, imprisonment, and threats of imprisonment. State Security agents posed as independent journalists to gather information on activists and spread misinformation and mistrust within independent journalist circles.'';

Whereas Reporters Without Borders, an international nongovernmental organization, continues to rank Cuba as one of the most repressive countries in the world, and the most repressive country in the Western Hemisphere, with respect to freedom of the press;

Whereas the International Press Institute, a global network of journalists, editors, and media executives, concludes that Cuba ''remains a leading jailer of journalists'';

Whereas International PEN, an international network of writers, has reported that 22 writers, journalists, and librarians were among the individuals arrested and tried during the crackdown by the Government of Cuba on independent civil society activists in the spring of 2003, and subsequently imprisoned;

Whereas International PEN further reports that ''the majority of the detained writers, journalists and librarians are suffering from health complaints caused or exacerbated by the harsh conditions and treatment they are exposed to in prison. Despite their deteriorating health status, access to adequate medical treatment is often limited.''; and

Whereas the Committee to Protect Journalists, a nonpartisan international organization of journalists, has identified more than 20 writers, journalists, and librarians in Cuba who remain imprisoned by the Government of Cuba: Now, therefore, be it

Resolved, That the Senate—

(1) expresses solidarity with—

(A) the citizens of Cuba who are suffering harassment, deprivation, or imprisonment for exercising rights associated with freedom of the press and pursuing livelihoods as independent writers, journalists, or librarians; and

(B) the family members of those writers, journalists, and librarians; and

(2) calls on the Government of Cuba to release immediately all writers, journalists, and librarians who are imprisoned for exercising their fundamental human rights, including the citizens of Cuba that have been specifically identified by international organizations that monitor respect for the freedom of the press as being imprisoned by the Government of Cuba.

COMMEMORATING AND CELEBRATING THE LIVES OF OFFICER KRISTINE MARIE FAIRBANKS, DEPUTY ANNE MARIE JACKSON, AND SERGEANT NELSON KAI NG

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration S. Res. 150, 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. 150) commemorating and celebrating the lives of Officer Kristine Marie Fairbanks, Deputy Anne Marie Jackson, and Sergeant Nelson Kai Ng, who gave their lives in the service of the people of Washington State in 2008.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. 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, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 150) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 150

Whereas law enforcement officers throughout Washington State conduct themselves in a manner that supports, maintains, and defends the Constitution of the United States and the Constitution of the State of Washington;

Whereas law enforcement officers in Washington State and throughout the Nation risk their own lives to protect the lives of others;

Whereas since 1792, approximately 18,600 law enforcement officers were killed in the line of duty in the United States, and 262 of

those officers served the people of Washington State;

Whereas in 2008, 133 law enforcement officers were killed in the line of duty in the United States;

Whereas in 2008, Deputy Anne Marie Jackson of the Skagit County Sheriff's Office, Officer Kristine Marie Fairbanks of the U.S. Forest Service, and Sergeant Nelson Kai Ng of the Ellensburg Police Department gave their lives in the service of the people of Washington State;

Whereas the family members and friends of Officer Fairbanks, Deputy Jackson, and Sergeant Ng bear the most immediate and profound burden of the absence of their loved ones; and

Whereas National Police Week is observed from May 10 to May 16, 2009, and is the most appropriate time to honor the Washington State law enforcement officers who sacrificed their lives in service to their State and Nation: Now, therefore, be it

Resolved, That the Senate—

(1) extends its condolences to the families and loved ones of Officer Kristine Marie Fairbanks, Deputy Anne Marie Jackson, and Sergeant Nelson Kai Ng; and

(2) stands in solidarity with the people of Washington State as they celebrate the lives and mourn the loss of these remarkable and selfless heroes who represented the best of their community and whose memory will serve as an inspiration for future generations.

ORDERS FOR MONDAY, MAY 18, 2009

Mr. DODD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m., Monday, May 18; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there be 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.

PROGRAM

Mr. DODD. Mr. President, under an agreement reached tonight, the next vote will occur at approximately 10 a.m. Tuesday, May 19. That vote will be a cloture vote on the Dodd-Shelby substitute amendment to H.R. 627, the credit card legislation.

ADJOURNMENT UNTIL MONDAY, MAY 18, 2009, AT 2 P.M.

Mr. DODD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

Thereupon, the Senate, at 7:19 p.m., adjourned until Monday, May 18, 2009, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

ANEESH CHOPRA, OF VIRGINIA, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE RICHARD M. RUSSELL, RESIGNED.

DEPARTMENT OF STATE

CAPRICIA PENAVIC MARSHALL, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF OF PROTOCOL, AND TO HAVE THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE, VICE NANCY GOODMAN BRINKER, RESIGNED.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT PROMOTION TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be captain

MARK H. PICKETT
MICHAEL D. FRANCISCO
MARK P. MORAN

To be commander

MARK J. BOLAND
BRIAN W. PARKER
TODD A. HAUPT
ROBERT A. KAMPHAUS

To be lieutenant commander

JASON A. APPLER
NICOLE M. CABANA
RUSSELL G. HANER
JOHN A. CROFTS
PAUL A. KUNICKI
JEFFREY C. TAYLOR
NICHOLAS J. CHROBAK
DANIEL J. PRICE
NICOLE S. LAMBERT
CHAD M. CARY

To be lieutenant

SARAH K. DUNCAN
STEPHEN P. BARRY
SAMUEL F. GREENAWAY
TRACY L. HAMBURGER
MICHAEL O. GONSALVES
OLIVIA A. HAUSER
TONY PERRY III
JONATHAN R. FRENCH
AMY B. COX
MATTHEW J. JASKOSKI
STEPHEN C. KUZIRIAN
LINDSEY M. WALLER
JASON R. SAXE
DAVID A. STRAUSZ
REBECCA J. WADDINGTON
GUIENEVERE R. LEWIS

To be lieutenant (junior grade)

JOHN H. PETERSEN
BENJAMIN S. BLOSS
JOHN F. ROSSI
CHARLENE R. FELKLEY
EMILY M. ROSE
KEVIN W. ADAMS
MATTHEW M. FORNEY
PATRICIA E. RAYMOND
MATTHEW J. NARDI
ADAM R. REED
ADRIENNE L. HOPPER
RACHEL M. SARGENT
RYAN A. WARTICK

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

To be ensign

HEATHER L. MOE
RUSSELL D. PATE
KYLE A. SANDERS
LINDSAY H. CLOVIS
JON D. ANDVICK
AARON D. MAGGIED
CHRISTOPHER J. BRIAND
MICHAEL D. ROBBIE
ERIK S. NORRIS
KURT S. KARPOV
MARINA O. KOSENKO

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8034:

To be general

GEN. CARROL H. CHANDLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL STEVEN J. ARQUIETTE
COLONEL HOWARD B. BAKER
COLONEL ROBERT J. BELETIC
COLONEL SCOTT A. BETHEL
COLONEL CHARLES Q. BROWN, JR.
COLONEL SCOTT D. CHAMBERS
COLONEL CARY C. CHUN
COLONEL RICHARD M. CLARK
COLONEL DWYER L. DENNIS
COLONEL STEVEN J. DEPALMER
COLONEL IAN R. DICKINSON
COLONEL MARK C. DILLON
COLONEL SCOTT P. GOODWIN
COLONEL MORRIS E. HAASE
COLONEL JAMES E. HAYWOOD
COLONEL PAUL T. JOHNSON
COLONEL RANDY A. KEE
COLONEL JIM H. KEFFER
COLONEL JEFFREY B. KENDALL
COLONEL MICHAEL J. KINGSLEY
COLONEL STEVEN L. KWAST
COLONEL LEE K. LEVY II
COLONEL JERRY P. MARTINEZ
COLONEL JIMMY E. MCMILLIAN
COLONEL KENNETH J. MORAN
COLONEL ANDREW M. MUELLER
COLONEL EDEN J. MURRIE
COLONEL TERRENCE J. O'SHAUGHNESSY
COLONEL DAVID E. PETERSEN
COLONEL TIMOTHY M. RAY
COLONEL JOHN W. RAYMOND
COLONEL JOHN N. T. SHANAHAN
COLONEL JOHN D. STAUFFER
COLONEL MICHAEL S. STOUGH
COLONEL MARSHALL B. WEBB
COLONEL ROBERT E. WHEELER
COLONEL MARTIN WHELAN
COLONEL KENNETH S. WILSBACH

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531.

To be lieutenant colonel

STEPHEN R. DASUTA
BETH M. DITTMER

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

PAUL V. ACQUAVELLA
JOAN M. MALIK
BRIAN L. PETRY
MARY A. PILIWALE
PAUL L. SMITH
DAVID M. TULLY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CLEMIA ANDERSON, JR.
ANTONIO J. CARDOSO
BRETT K. EASLER
DOUGLAS J. HOLDERMAN
SYLVESTER MOORE
HENRY P. ROUX, JR.
LAWRENCE A. SCRUGGS
STEVEN D. SHARER
RICHARD C. VALENTINE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOSEPH R. BRENNER, JR.
TIMOTHY C. GALLAUDET
PAUL S. OOSTERLING
GREG A. ULSES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOHN G. BISCHERI
KARL A. COOKE
TIMOTHY J. MARICLE
DOMENICK MICILLO, JR.
JOHN E. RIES
KENNETH R. SPURLOCK
TODD J. SQUIRE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JEFFREY A. BENDER
DAWN E. CUTLER
DARRYN C. JAMES
PAMELA S. KUNZE
DAVID H. WATERMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ROBERT J. ALLEN
WILLIAM R. BRAY
JAMES T. CASON
JOHN M. DULLUM
MARK R. H. ELLIOTT
JAMES M. ELLIS
JOHN D. HARBER
JASON C. HINES
MARK M. JAREK
FRANCIS M. MOLINARI
RONALD D. PARKER
ALFRED R. V. TURNER
MICHAEL F. WEBB

EDWARD B. ZELLEM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICKEY S. BATSON
JOSEPH D. BOOGREN
DAVID B. CARSON
SUSAN K. CEROVSKY
DARYL S. DAVIS
ERIC S. DIETZ
JUSTIN F. KERSHAW
TIMOTHY G. ROHRER
FRANK A. SHAUL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ANGELA D. ALBERGOTTIE
GISELE M. BONITZ
ALBERT A. BRADY
WILLIAM E. CHASE III
JOSE L. CISNEROS
PETER R. FALK
RONALD J. HANSON
RENA M. LOESCH
REECE D. MORGAN
PATRICK M. OWENS
BRIAN D. PEARSON
SANDRA J. SCHIAVO
MICHAEL L. THRALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL E. BEAULIEU
BRUCE W. BROSCH
KATHERINE D. C. ERB
LANCE E. MASSEY
GREGORY A. MUNNING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

SCOTT F. ADLEY
TRACY A. BARKHIMER
DANA S. DEWEY
PAUL A. GHYZEL
SHAWN P. HENDRICKS
ERIC D. HOLMBERG
JOHN M. HOOD
CHRISTOPHER D. JUNGE
TODD G. KRUDER
STEVEN J. LABOWS
RALPH D. LEE
JOHN S. LEMMON
THOMAS C. POPP
JAMES K. REINING
PATRICK W. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL A. BALLOU
JOHN H. BITTING III
STEVEN M. DEBUS
DAVID L. FORSTER
DAVID A. GOGGINS
JOSEPH D. GOMBAS
DONALD R. HARDER
THOMAS W. HEATTER
SCOTT D. HELLER
TODD A. HOOKS
MICHAEL C. LADNER
DOUGLAS M. LEMON
JAMES E. MELVIN
CHRISTOPHER P. MERCER
FRANCIS E. SPENCER III
HENRY W. STEVENS III
RONALD R. VANCOURT
MARK R. VANDROFF
STEPHEN F. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ANN M. BURKHARDT
CRAIG C. FELKER
LEONARD J. HAMILTON
DONNA M. KASPAR
WILLIAM R. KRONZER
CAROLINE M. NIELSON
KRISTIN B. STRONG
SHANNON E. M. THAELER
STEPHEN C. TRAINOR
MARGARET M. WARD
JACKLYN D. WEBB

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

HEIDI C. AGLE
DAVID W. ALLDRIDGE
GLENN R. ALLEN
DANIEL D. ARENSMEYER
SCOTT W. ASKINS
STUART P. BAKER
MICHAEL P. BARATTA
JAMES C. BEENE
TODD A. BELTZ
MARK B. BENJAMIN
AUGUSTUS P. BENNETT
RANDY B. BLACKMON
DAVID L. BOSSERT
DAVID W. BOUVE
WILLIAM J. BREITFELDER
KEVIN S. BRENNAN
RICHARD R. BRYANT
DELL D. BULL
ERIK A. BURIAN
MICHAEL P. BURNS
CHRISTOPHER J. BUSHNELL
ROBERT A. H. CADY
ANTHONY T. CALANDRA
KENNETH W. CARAVEO
STEVEN M. CARLISLE
MICHAEL CARSLEY
JOHN A. CARTER
DANIEL L. CHEEVER
CHRISTOPHER W. CHOPE
CRAIG A. CLAPPERTON
ROBERT E. CLARK
DANIEL M. COLMAN
CLAYTON L. CONLEY
BLAKE L. CONVERSE
CHARLES B. COOPER II
MATTHEW F. COUGHLIN
STEPHEN J. COUGHLIN
MICHAEL S. CRUDEN
REX L. CURTIN
PETER M. DAWSON
THOMAS L. DEARBORN
ERICH W. DIEHL
WILLIAM A. DOCHERTY
JAMES F. DOODY
FRANK J. DOWD
PAUL T. DRUGGAN
SCOTT E. DUGAN
DANIEL W. DWYER
JOHN T. DYE, JR.
RANDELL W. DYKES
JOHN P. ECKARDT
BRIAN P. ECKERLE
DAVID M. EDGECOMB
JASON C. EHRET
JAMES A. EMMERT
MICHAEL S. FEYEDELEM
STEPHEN M. FIMPLE
TODD J. FLANNERY
CHRISTOPHER J. FLETCHER
BRIAN W. FRAZIER
MICHAEL S. FULGHAM
DONALD D. GABRIELSON
FREDERICK E. GAGHAN, JR.
THOMAS D. GAJEWSKI
ROBERT D. GAMBERG
HARRY L. GANTEAUME
PETER A. GARVIN
JASON A. GILBERT
CURTIS J. GOODNIGHT
CHRISTOPHER S. GRAY
PAUL F. GRONEMEYER
WESLEY R. GUINN
JOHN E. GUMBLETON
PAUL C. HAEBLER
ROBERT A. HALL, JR.
THOMAS G. HALVORSON
MICHAEL V. HARBER
JURGEN HEITMANN
EDMUND B. HERNANDEZ
PATRICK D. HERRING
EDWARD L. HERRINGTON
CHRISTOPHER E. HICKS
ALVIN HOLSEY
WILLIAM D. HOPPER
HUGH W. HOWARD III
PATRICK N. HUETE
GREGORY C. HUFFMAN
JEFFREY W. HUGHES
PAUL D. HUGILL
WILLIAM T. IPOCK II
ROGER G. ISOM
MARY M. JACKSON
RHETT R. JAEHN
JEFFREY W. JAMES
JOKER L. JENKINS
BRADLEY T. JENSEN
KEVIN D. JONES
SARA A. JOYNER
JOEL D. JUNGEMANN
JAY A. KADOWAKI
KURT A. KASTNER
GREGORY J. KEITHLEY
VERNON P. KEMPER
BRADLEY J. KIDWELL
KEVIN G. KING
KEVIN E. KINSLOW
BRIAN D. KOEHR
WILLIAM S. KOYAMA
SCOTT C. KRAVERATH
KEVIN F. KROPP
TIMOTHY C. KUEHHAS
GLENN P. KUFFEL, JR.
CARL A. LAHTI
JAMES P. LAINGEN
DENNIS A. LAZAR, JR.
MARK F. LIGHT
JAMES M. LINS
DAVID J. LOBDELL
JAMES P. LOPER
WALLACE G. LOVELY
RANDALL J. LYNCH
PAUL J. LYONS
GREGORY M. MAGUIRE
CHARLES B. MARKS III
MICHAEL W. MARTIN
RANDALL H. MARTIN
PETER W. MATISOO
SCOTT A. MCCLURE
JOHN M. MCLAIN
GREGORY A. MCWHERTER
MARK V. METZGER
MARIO MIFSUD
RICHARD M. MILLER, JR.
CHARLES C. MOORE II
BRIAN L. MORGAN
STEVEN B. MORIEN
FRANCIS D. MORLEY
KURUSH F. MORRIS
TERRY S. MORRIS
JOHN R. MOSIER, JR.
CHRISTOPHER P. MURDOCH
JEFFREY S. MYERS
JOHN R. NETTLETON
ROBERT A. NEWSON
THAD E. NISBETT
RICHARD M. ODOM II
MICHAEL F. OTT, JR.
SCOTT W. PAPPANO
WILLIAM D. PARK
WILLIAM J. PARKER III
VERNON J. PARKS, JR.
BENJAMIN J. PEARSON III
WILLIAM P. PENNINGTON
PAUL A. PENSABENE
DOUGLAS G. PERRY
CATHERINE K. PHILLIPS
MARTIN L. POMPEO
KENNETH J. REYNARD
DANIEL J. RIVERA
DAVID A. ROBERTS
CHRISTOPHER A. RODEMAN
AARON L. RONDEAU
ERIK M. ROSS
MARK E. SANDERS
PAUL J. SCHLISE
TIMOTHY L. SCHORR
WILLIAM B. SEAMAN, JR.
TODD J. SENIFF
CURTIS A. SETH
DANIEL P. SHAW
DANIEL A. SHULTZ
JAMES W. SIGLER
RICHARD A. SKIFF, JR.
FRED W. SMITH, JR.
ROBERT E. SMITH
THOMAS B. SMITH II
VICTOR S. SMITH
MICHAEL C. SPARKS
WESLEY W. SPENCE
PAUL A. STADER
RAY A. STAPF
MARK L. STEVENS
WILLIAM R. STEVENSON
RICK J. STONER
RANDALL D. TASHJIAN
MICHAEL J. TESAR
JOHN J. THOMPSON
THOMAS L. THOMPSON
JOHN D. THORLEIFSON
DAVID L. TIDWELL
RYAN C. TILLOTSON
JOHN V. TOLLIVER
ROBERT P. TORTORA
TIMOTHY R. TRAMPENAU
BRADDOCK W. TREADWAY
WILLIAM M. TRIPLETT
WADE D. TURVOLD
MURRAY J. TYNCH III
ROY C. UNDERSANDER
LAWRENCE R. VASQUEZ
GEORGE J. VASSILAKIS
ERIC H. VENEMA
DOUGLAS C. VERISSIMO
DEAN M. VESELY
DANIEL E. VOTH
MICHAEL D. WALLS
COLIN S. WALSH
JAMES P. WATERS III
ERIC F. WEILENMAN
RANDAL T. WEST
WILLIAM W. WHEELER III
STEVEN J. WIEMAN
JEFFREY S. WINTER
ERIC K. WRIGHT
BRIAN F. WYSOCKI
JOHN D. ZIMMERMAN
RICHARD J. ZINS
THOMAS A. ZWOLFER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JAMES F. ELIZARES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

STACY R. STEWART

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

STEPHEN E. MARONICK
TAMARA A.L. SHELTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DANIEL T. BATES
STEVEN R. BRITTON
KATHLEEN T. JABS
GARY P. KIRCHNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GARY R. BARRON
JANET M. BRISTOL
STEVEN B. COLE
ALLAN S. DUNLOP
ROBERT C. ELROD
EDWARDEEN M. JONES
SCOTT J. KAWAMOTO
RONALD S. KERR
ALAN R. KERSEY
JOEL A. MERRIMAN
LEE H. MILLER II
SCOTT P. MINKE
RICHARD W. MYLLENBECK
MICHAEL M. NORMILE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOSEPH R. DAVILA
WILLIAM S. FRAILEY
THANE GILMAN
JOHN K. HAFNER
MICHAEL J. KONDRACKI
NEAL W. LEHTO
CHARLES D. MCDERMOTT
JOHN M. TARPEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MARCIA R. FLATAU
RAYMOND C. GAW
ERIN P. HOLIDAY
LINNEA J. SOMMERWEDDINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

STEVEN W. HARRIS
STEVEN J. SIMON
GEORGE L. SNIDER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PAUL C. BURNETTE
STEPHEN S. JOYCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MATTHEW B. AARON
THOMAS P. MAYHEW
DAVID M. SILLDORFF

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DALE E. CHRISTENSON
MARK A. COTE
GREGORY A. LEWIS
CHARLES L. REYNOLDS
CHRISTOPHER S. TROST
FRANK VACCARINO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THERESE D. CRADDOCK
WILLIAM C. MARVEL
ANTONIO OROPEZA
LEITH S. WIMMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ROBERT A. BENNETT
MATTHEW T. BERTA
JASON B. BURKE
VICTOR V. COOPER
ANDREW P. COVERT
JEFFREY S. DAVIS
RONALD A. FLORENCE
JOHN S. GORMAN
ZACHARY S. HENRY
ROBERT E. LEE
LUIS A. MALDONADO
MICHAEL L. MARLOWE
JOHN J. MCCRACKEN
JAMES E. MCGOVERN
ROGER L. MEEK
JAMES L. MINTA
WILLIAM H. PEVEY
MARK W. SAMUELS
JANET S. SCHOFIELD
DANIEL B. UHLS
KENNETH S. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DONALD T. ALLERTON
STEVEN M. ALLINDER
MARK D. ALTOBELLO
MARK T. ASSELIN
PAUL K. AVERNA
KRISTIN A. BAKKEGARD
ROBERT E. BANKER, JR.
JOHN V. BENNETT
JONATHAN D. BLACKER
JAMES P. BOLAND
CHRISTOPHER C. BROWN
JAMES H. BROWN
JAMES CLUXTON
DAVID J. COLE
MICHAEL C. COLEMAN
ROBERT D. CORRIGAN
MICHAEL A. CZARNIK
WILLIAM M. DARLING
CHARLES J. DEGILIO
DAVID F. DESANTO
JAMES K. DETTBARN
DAVID J. DIETZ
SCOTT E. DONALDSON
STEVEN P. DOUGLAS
SHAWN E. DUANE
BILLIE G. DUNLAP
DAVID B. DURHAM
DOROTHY S. E. ENGH
MATTHEW J. FELT
MICHAEL D. FIELDS
MICHAEL J. FLYNN
PHILIP M. FOWLER
JOSEPH A. GAITHER
DANIEL P. GAMACHE
THOMAS A. GERETY
JAMES M. GERLACH
JACK A. GRANGER
JAMES L. GRANT
DARREN J. HANSON
JAMES E. HARLAN
KEVIN C. HAYES
DANIEL B. HENDRICKSON
ARTHUR L. HENSLEY, JR.
PHILIP G. HILTON
WILLIAM W. HISCOCK
MARK G. HORN
DONALD W. HOWELL, JR.
BRIAN S. HURLEY
SCOTT D. JONES
CLIFFORD J. KEENEY
TERRENCE J. KEISIC
CLAYTON M. KEMMERER
EUGENE P. KIERNAN, JR.
GREGORY J. KOLB
KARIN A. KULINSKI
ROBERT L. LARSON
STEPHEN P. LEE
PETER T. LISTON
JAMES A. LITSCH, JR.
JOSEPH R. LYON III
ALAN M. LYTLE
WILLIAM G. MAGER
SANJAY D. MATHUR
PATRICK E. MAYO
JAY R. MILLS
PATRICK J. MRACHEK
ANDREW J. MUELLER
KAREN R. NEWCOMB
JEAN L. OBRIEN
MARTIN P. OBRIEN, JR.
PAUL G. PENDER
SEAN F. REID
WILLIAM J. REVAK
JOHN A. RIAL
JEFFREY J. RICHARDS
DAVID A. ROBINSON
DARIN K. ROBISON
RICHARD A. RODRIGUEZ
CRAIG W. ROEGNER
KEVIN H. ROSS
JAY M. ROVNIAK
SCOTT C. RUMPH
ERIC C. RUTTENBERG
THOMAS A. RYER
JOHN A. SCHOMMER
JEROME T. SEBASTYN
SCOTT C. SEEBERGER
LAURIE T. SHEEHAN
TIMOTHY P. SHERIDAN
SCOTT R. SHIRE
LARRY A. SMITH
STERLING C. SMITH
FRED A. SORRENTINO
JAMES W. SPEICHER
JAMES K. STOELZEL
CALVIN E. TANCK
CHRISTOPHER J. TARPEY
HENRY C. TILLMAN
EDWIN A. TYLER, JR.
JUAN C. VIVAR
STEVEN E. WHITMORE
JAMES R. WILLIAMS
STEVEN C. WILLIAMS
ANDREW C. YENCHKO
PAUL R. YOUNES
JAMES B. ZEH
JEFFREY W. ZIMMERMAN
TODD A. ZVORAK

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14, 2009:

DEPARTMENT OF STATE

PHILIP H. GORDON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AND EURASIAN AFFAIRS).

EXPORT-IMPORT BANK OF THE UNITED STATES

FRED P. HOCHBERG, OF NEW YORK, TO BE PRESIDENT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2013.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

IN REMEMBRANCE OF KENNETH E. ZAREMBA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Kenneth E. Zaremba and in recognition of his dedication to his family, community and to the field of space exploration through his work at NASA.

Kenneth Zaremba had a distinguished thirty year career at NASA, most recently serving as Chief Protocol Officer. Earlier this year, he was recognized by his peers for his leadership, innovation and implementation of NASA's Future Forums—forums held around the country to educate diverse communities about NASA's vital work in the fields of science, space exploration and education. Through his connections to the local community and the expertise he accumulated during his career at NASA, Kenneth shared NASA's vision with non-traditional communities around the country—including school groups, state governors and teachers. As a leader for this agency-wide team, he and his colleagues inspired audiences throughout the country, highlighting NASA's vital work for our nation and communities. Kenneth is survived by his wife and best friend, Elizabeth and his three children: Zachariah, Alexander and Cassandra.

Madam Speaker and colleagues, please join me in remembrance of Kenneth E. Zaremba and in celebration of a life dedicated to his family, community and country. Despite his absence, his work at NASA will continue to inspire the work of his colleagues and all those who were touched by his leadership in NASA's Future Forums project.

TRIBUTE TO AMANDA ZIMMERMAN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. LATHAM. Madam Speaker, I rise to recognize Amanda Zimmerman on her exemplary basketball career and congratulate her on being named Iowa's 2009 Miss Basketball.

Amanda is a senior at Ballard High School and will be attending Iowa State University to continue her illustrious basketball career. Amanda has been recognized with a variety of accomplishments including being named to the Class 3A All-State team four consecutive times, four straight state tournament appearances with her Ballard teammates, and helped lead her team to become the Iowa High School Class 3A State Champions this year.

Amanda is a shining example of Iowa's talented youth and the rewards that come with hard work and determination. It is an honor to represent Amanda Zimmerman and her teammates in the United States Congress and I know my colleagues join me in wishing her the best in furthering her education and athletic career.

COMMEMORATING MADISON'S BICENTENNIAL

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. HILL. Madam Speaker, Saturday, June 6, 2009, marks the official kick-off of Madison, Indiana's Bicentennial Celebration. And, what a storied history this wonderful town in my congressional district has amassed. Reflecting on the town's 200-year history takes time. So, it is only fitting that Madison residents and visitors will celebrate for 200 hours straight.

Madison is one of the most beautiful small towns in my congressional district. It was founded in 1809 and thrived on the commerce that the river provided. In its earliest years, Madison blossomed quickly and many stately mansions were built to accommodate its wealth. As rail became the prominent mode of transportation and commerce began to move away from the river, Madison's progress changed, and it became home to small, quaint businesses. At that time, it was yet to be told that what seemed to be the recession of the City would someday become the very thing that would bring it back to vibrancy.

Today, Madison has been recognized by the National Trust for Historic Preservation as one of a dozen distinguished destinations in America and is home to the largest National Historic Landmark District in the state. This year, as the residents of Madison celebrate their 200th birthday, I'd like to congratulate them on the success of their community and offer them continued prosperity in the next 200 years. I hope to attend some of the bicentennial festivities. If not, I will certainly be there in spirit.

Congratulations on your bicentennial Madison, Indiana.

HONORING ANDREW HOXSEY OF NAPA COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Mr. Andrew Hoxsey, who is being honored this evening by the Napa Valley Grapegrowers as their Grower of the Year. Mr. Hoxsey is being recognized for his outstanding contributions to the wine grape industry and the larger community of the Napa Valley.

Each year, the Napa Valley Grapegrowers bestows their most prestigious award to a Napa grower who has demonstrated a strong commitment to sustainable practices; recognized leadership in the agricultural preservation; dedicated community focus, contributing to the Napa Valley community through their time, resources, and personal commitments; and someone who actively promotes Napa's reputation for the highest quality vineyards. Grapegrowers in the Napa Valley are continuously at the forefront of organic and sustainable agricultural practices, and Mr. Hoxsey is no exception. He is one of the preeminent organic farmers in the entire Napa Valley.

Mr. Hoxsey is a fourth generation Napa Valley farmer who received a Bachelor of Science degree in Agricultural Economics and Business Management at the University of California at Davis. He went on to serve as an officer in the United States Air Force Reserve from 1983 to 1993. He is currently President of Yount Mill Vineyards in Yountville and Managing Partner of the Napa Wine Company.

Mr. Hoxsey's position as Managing Partner of one of Napa's premier wine companies is only the beginning of his extensive industry and community involvement. Andrew has served as Chairman of the California Sustainable Winegrowing Alliance and President of the Yountville Appellation Association. He has also held memberships on the Napa Valley and California Grapegrowers Boards of Directors, as well as Napa Valley Vintners Association, Oakville Winegrowers Association, American Vineyard Foundation and Napa Valley Farm Bureau.

Madam Speaker and colleagues, it is appropriate at this time that we thank Mr. Andrew Hoxsey for the incredible work he has done on behalf of the Napa Valley. As a respected grape grower he has advanced the reputation of Napa Valley grapes and wine, and has been a model citizen and superb steward of the land. I join his wife, Nancy and two daughters in wishing him continued success and fulfillment.

DEDICATION OF NEBRASKA LAW ENFORCEMENT MEMORIAL

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. SMITH of Nebraska. Madam Speaker, nestled in a quiet corner of Washington D.C. a memorial stands in remembrance of some of our bravest citizens. The National Law Enforcement Officers Memorial was dedicated in 1991 to honor America's federal, state, and local law enforcement personnel. Its walls bear the names of more than 18,000 officers killed in the line of duty, dating back to the first known death in 1792.

Every May, the nation honors the men and women who paid the ultimate price. It is a time to recognize the contributions of more than 900,000 federal, state, and local law enforcement officers who serve this nation and the thousands who have lost their lives.

Earlier this week, hundreds of Nebraskans from across our state gathered to pay tribute

to the 130 Nebraska law enforcement officers who have died in the line of duty since 1866. On Monday, May 11, the Nebraska Law Enforcement Memorial was dedicated to our friends and neighbors who gave their lives to make our world a better place. Located in Grand Island, the names of these heroes are now etched in gold on three granite panels, a solemn reminder of the cost they—and their families—have paid.

It is fitting the pathway to the Washington D.C. Law Enforcement Officers Memorial is guarded by a statue of a lion protecting its cubs. Thousands of Americans from all walks of life owe their lives to the actions of the brave men and women in uniform who protect us. Each day, law enforcement officers ensure our laws are enforced and our communities are safe.

HONORING ORADELL POLICE DEPARTMENT D.A.R.E. PROGRAM GRADUATES

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GARRETT of New Jersey. Madam Speaker, today, the Oradell Police Department will hold its D.A.R.E. graduation ceremony with the students of Oradell Elementary School. The young people participating in this important program have made a commitment to say no to drugs, underage drinking, and gang violence. They have done this with the support of Chief of Police Anthony Rhynie Emanuel and D.A.R.E. officers, Sgt. Kevin Smith, Ptl. Marc Fedorchak and Ptl. Richard Liguori.

Drug Abuse Resistance Education, or D.A.R.E., began as a small program in Los Angeles in 1983. Today, it is implemented in more than 75 percent of our nation's school districts and in more than 43 other nations. This program allows children to defeat the negative cultural influences that they are challenged with daily by opening the lines of communication between law enforcement and youth and empowering them with confidence and courage to say no to drugs.

I am proud of the young boys and girls who participated in this program in Oradell, and I would like to recognize them all for taking this step toward positive citizenship:

Emma Bednarski, Andrew Benda, David Chakansky, Michael Fasano, Alec Garino, Kyle Garino, Lauren Gerlin, Stephanie John, Ethan Konigsberg, Ellison Lee, Justin Longo, Nicholas Miller, Julia Mills, Caitlin Mooney, Kevin Ortega, Zachary Prager, Kayla Rosado, Christina Sim, Christian Skroce, Joseph Verrico, Tyler Yuen, Vincent Albanese, Connor Belthoff, William Bertini, Zakaria Bousada, Jung Jin Cho, Alexa Coppola, Zachary DiPirro, Kristen Friedman, Eunkyu Ham, Sakura Honda, Ariel Lam, Thomas Melvin, Thomas Montemarano, Brian Pedersen, Anthony Pestic, Danielle Reimer, Olivia Schuster, Wendy Starr, William Thorn, Chelsea Twan, Alec Wasserman, Grace Woo, David Angione, Julianna Bigami, Erin Browing, Amanda Calcetas, Savannah DiGiovanni, Nicholas Esposito, Ryan Gardner, Rachel Jacobs, Ehristopher Kallensee, Asher Konigsberg, Ylana Lopez, Christopher McMahon, Courtenay Murphy, Sebastian Quiana, Anne Marie Quinn, Patrick Robertson, Stephen Sargenti, Victoria Scalanga, Lexi Schettino, Eric Spiniello, Amber Williams, Christopher Yee, Ethan Alpern, Connor Callahan, Kate Deeg, Jimmy Dickson, Justin Fernandez, Christian Haak, Alexandra Iaccino, Brandon John, Evan Marinelli, Nicole Muscat, Rachel Okransky, David Pettigrew, Nicole Preziosi, Audrey Reynolds, Hunter Santos, Tommy Shindnes, Emma Smith, Richie Tashjian, Gabrielle Toohey, Sophia Traphagen, Billy Wallace, Daniel Comeau, Matthew Boros, Michael Boyle, Charlie Connell, Daniel Erben, Amanda Fatovic, Anna Fletcher, Elizabeth Granger, Molly Hastings, Erin Hughes, Susan Kang, Brad Laube, Julia Lombardi, Alexander McNally, Matthew Moran, Mona Moshet, Erikson Nichols, Matthew Palathingal, Caroline Parks, Kyle Russell, Ethan Schupak, Joseph Starace, and Kirsten Wozniak.

TRIBUTE TO BERYL PRESLEY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. LATHAM. Madam Speaker, I rise to recognize Beryl Presley, a kindergarten teacher from Milo, Iowa.

Beryl has received the "My Favorite Teacher Award" given by WOI television station in West Des Moines, Iowa. She was nominated by her former student, Billie Jo Marsh, who is now a co-worker of Beryl's. When Billie Jo was in fifth grade, she was inspired by Beryl to become a teacher, and they have now worked together at Milo Elementary School for over 17 years.

Beryl has been a teacher for 34 years and takes an immense amount interest in all of her students. She tells her students that they will receive an engraved recess whistle if they graduate with a degree in education. Eleven years after Billie Jo had Beryl as her teacher, she received her whistle on graduation day.

I congratulate Beryl Presley on her well-deserved award, and I'm certain that she will continue to touch the lives of many youth in her community. It is a great honor to represent Beryl in the United States Congress, and I wish her continued success.

IN TRIBUTE TO MOORPARK HIGH SCHOOL ACADEMIC DECATHLON TEAM

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GALLEGLY. Madam Speaker, I rise in tribute to the Moorpark High School Academic Decathlon Team, who recently returned from Memphis, Tennessee, as the 2009 National Academic Decathlon Champions.

It is the second consecutive national championship for the Moorpark High School team and the fourth national championship for the school in the past 10 years.

Team members Kris Sankaran, Marlena Sampson, Danielle Hagglund, Sarah Thiele, Zyed Ismailjee, Neil Paik, Sol Moon, Scott Buchanan and Michael Fantauzzo are now recognized as the best and the brightest in the country. They are the pride of their school, their community and their country.

Kris Sankaran, a Moorpark High School senior, is the only holdover from last year's team. And, for the second consecutive year, he walked away from the competition with the country's highest individual score.

Every team member medaled in at least one event. Kris took home seven individual medals. Danielle Hagglund took home six.

These youngsters won by literally dedicating their lives to the challenge. The team gave up weekends, vacations, part-time jobs, and time with their families in their pursuit of excellence.

Their coach, Larry Jones, worked as hard, if not harder, than his students and is as deserving of high praise. Coach Jones, who is now the spry age of 60, has coached all four U.S. Championship teams. He is a man of outstanding strength, patience, and perseverance.

Madam Speaker, I know my colleagues will join me in applauding nine outstanding students who made history while achieving a very prestigious goal—Kris Sankaran, Marlena Sampson, Danielle Hagglund, Sarah Thiele, Zyed Ismailjee, Neil Pails, Sol Moon, Scott Buchanan and Michael Fantauzzo—the 2009 U.S. Champion Moorpark High School Academic Decathlon Team.

HUMANITARIAN CONCERNS AT CAMP ASHRAF

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. CLAY. Madam Speaker, as we endeavor to end the war in Iraq, and to prevent any further military action in that region, I want to call attention to a resolution adopted by the European parliament on April 24, 2009. This resolution addresses Camp Ashraf which is located in Iraq about 50 miles from the Iranian border. Approximately 3,000 Iranian exiles are now residing at the Camp; these individuals have not been involved in the war and signed agreements with the U.S.-led Multi-National Force regarding their status in accordance with International Humanitarian Law. Unfortunately, Iraqi officials have allowed the Iranian clerical regime to pressure those residing at Camp Ashraf and human rights organizations, such as Amnesty International, have expressed concern for their safety and well being.

The European Parliament resolution urges the Iraqi government to uphold the human rights of those living at Camp Ashraf. I share this sentiment and urge my colleagues to review the full text of the resolution enacted by the European Parliament.

HUMANITARIAN SITUATION OF CAMP ASHRAF RESIDENTS

European Parliament resolution pursuant to Rule 115 of the Rules of Procedure on the humanitarian situation of Camp Ashraf residents The European Parliament,

having regard to the Geneva Conventions and notably Article 27 of the Fourth Geneva Convention on the legal status of Protected Persons,

having regard to the Geneva Convention of 1951 relating to the Status of Refugees and the 1967 Additional Protocol,

having regard to the Status of Forces Agreement (SOFA) signed between the US and Iraqi Governments in November 2008,

having regard to its resolutions of 12 July 2007 and of 4 September 2008 including references to Camp Ashraf residents having legal status as Protected Persons under the Fourth Geneva Convention,

having regard to Rule 115 of its Rules of Procedure, A. whereas Camp Ashraf in Northern Iraq was established during the 1980s for members of the Iranian opposition group People's Mujahedin Organisation of Iran (PMOI), 8. whereas in 2003 US forces in Iraq disarmed Camp Ashraf's residents and provided them with protection, having been designated 'protected persons' under the Geneva Conventions, C. whereas the UN High Commissioner for Human Rights in a letter dated 15 October 2008 urged the Iraqi Government to protect Ashraf residents from forcible deportation, expulsion or repatriation in violation of the non-refoulement principle, and to refrain from any action that would endanger their life or security, D. whereas after the US/Iraqi Status of Forces Agreement Camp Ashraf has been returned to the control of Iraqi security forces as of 1 January 2009, E. whereas according to recent statements reportedly made by the Iraqi National Security Advisor the authorities intend gradually to make the continued presence of the Camp Ashraf residents 'intolerable' and whereas he reportedly also referred to their expulsion/extradition and/or their forcible displacement inside Iraq, 1. Urges the Iraqi Prime Minister to ensure that no action is taken by the Iraqi authorities which violates the human rights of the Camp Ashraf residents and to clarify the government's intentions towards them; calls on the Iraqi authorities to protect the lives, and the physical and moral integrity of the Camp Ashraf residents and to treat them in accordance with the obligations under the Geneva Conventions, notably not to forcibly displace, deport, expel or repatriate them in violation of the principle of non-refoulement; 2. Respecting the individual wishes of anyone living in Camp Ashraf as regards to their future; considers that those living in Camp Ashraf and other Iranian nationals who currently reside in Iraq having left Iran for political reasons could be at risk of serious human rights violations if they were to be returned involuntarily to Iran, and insists that no person should be returned, either directly or via a third country, to a situation where they would be at risk of torture or other serious human rights abuses; 3. Calls on the Iraqi government to end its blockade of the camp and respect the legal status of the Camp Ashraf residents as 'protected persons' under the Geneva Conventions, and to refrain from any action that would endanger their life or security, namely full access to food, water, medical care and supplies, fuel, family members and international humanitarian organizations; 4. Calls on the Council, the Commission and the Member States together with the Iraqi and US Governments and the UN High Commissioner for Refugees and the International Committee for the Red Cross to work towards finding a satisfactory long-term legal status for Camp Ashraf residents; 5. Instructs its President to forward this resolution to the Council, the Commission, the Governments and Parliaments of the Member states, the UN High Commissioner for Refugees, the International Committee for the Red Cross, the Government of the United States and the Governments and Parliaments of Iraq.

TRIBUTE TO ALBERT HABHAB

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. LATHAM. Madam Speaker, I rise to recognize the storied career and public service of Albert Habhab from Fort Dodge, Iowa.

Albert began his career of public service as a soldier during World War II. Albert rarely speaks of his time at war, but he occasionally shares some of his experiences including rescuing a badly injured soldier while in the Army in Europe.

He later became the mayor of Fort Dodge in 1959, and served for a record setting 14 years. While mayor, the city expanded by over eleven miles. In 1975, after serving as mayor, Albert was appointed to the bench in the 2nd Judicial District. In 1987 he was appointed to the Iowa Court of Appeals where he was elected chief judge.

Now at the age of 83, Albert continues to show his selflessness and gives credit to many other people in his life who he believes helped him during his career.

I commend Albert Habhab for his many years of loyalty and service to our great nation and his community. I know my colleagues in the United States Congress join me in thanking Albert Habhab for his life of public service. It is an immense honor to represent Albert in Congress, and I wish him all the best in his future endeavors.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately yesterday, May 13, 2009, I was unable to cast my votes on H. Res. 427, H. Con. Res. 84 and H.R. 2162.

Had I been present for Rollcall No. 246, on agreeing to the Rule providing for consideration of H.R. 2187, the 21st Century Green High-Performing Public School Facilities Act, I would have voted "nay."

Had I been present for Rollcall No. 247, on suspending the Rules and passing H. Con. Res. 84, Supporting the goals and objectives of a National Military Appreciation Month, I would have voted "yea."

Had I been present for Rollcall No. 248, on suspending the Rules and passing H.R. 2162, the Herbert A. Littleton Postal Station, I would have voted "aye."

HONORING HENRY "HANK" NORDHOFF ON HIS RETIREMENT FROM GEN-PROBE

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. BILBRAY. Madam Speaker, today I rise to honor the service of Henry "Hank" Nordhoff to both the biotechnology and life sciences communities of San Diego, as well as to Gen-Probe, from which he is retiring after serving fifteen years as President and Chief Executive Officer (CEO). Hank is nearly peerless when it comes to the contributions he has made to the life sciences community of San Diego and I wish him well in his retirement.

The state of California is far and away the leader when it comes to the life sciences industry. With over 2,000 companies employing 271,000 people and generating $20.3 billion in salaries and wages, California is the gold standard for science and biotechnology that the rest of the country tries to emulate. San Diego is the crown jewel in the California crown with 36,600 employees in the life science community in San Diego County at more than 500 companies, including traditional biotech, medical device, diagnostic and technology companies. Atop that mountain stands Gen-Probe, led by Mr. Hank Nordhoff.

Hank joined Gen-Probe Incorporated in July 1994 as president and CEO. Following the spin-off from Chugai Pharmaceuticals in September 2002, he was also appointed chairman of Gen-Probe's board of directors. Hank contributed greatly to the innovation that defines Gen-Probe, and that is embodied in more than 480 patents the company has been issued around the world. Gen-Probe's business is devoted to nucleic acid testing (NAT). NAT is the science of identifying diseases accurately and rapidly by detecting genetic fingerprints that are unique to an infectious microorganism or a cancerous tumor. Gen-Probe's pioneering and innovative role in NAT has been broadly recognized—culminating in the company receiving the 2004 National Medal of Technology, America's highest honor for technological innovation, for developing molecular tests that protect America's supply of donated blood from HIV, hepatitis and West Nile virus.

On a personal note, I have had the privilege of working closely with Hank on a number of life sciences issues since coming back to Congress in June 2006. Hank has been a trusted advisor as part of my science and technology advisory group and I have come to rely on his wise counsel on everything from patent reform to personalized medicine. It is no surprise to me to know that he has been named as one of San Diego's most admired CEOs. Hank is a true visionary and his work will continue to shape the landscape of San Diego's biotechnology community long into the future.

In short, Hank is a successful business executive, employer, statesman and philanthropist, and I wish him well in his future retirement endeavors.

TRIBUTE TO SCOTT BLACKSTOCK

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. WESTMORELAND. Madam Speaker, I rise today to pay tribute to Scott Blackstock, one of my constituents from Thomaston, Ga. This has been a fine spring for Scott. First, he won the Small Business Administration's Georgia Small Business Person of the Year award based on the success of his chain of car washes. Second, there was a lot of pollen. Only car wash owners, I'd think, anxiously anticipate the season when a thick yellow film coats our vehicles.

Blackstock had owned a tire and auto shop in Thomaston for 20 years before he decided to add on a traditional self-serve and drive-thru car wash facility. From here his entrepreneurial ideas bubbled up like soapy suds. Before he acted, he did his research on the latest type of car wash technology, the ''express wash.'' In 2003, S.S. Blackstock Inc.'s Tidal Wave Express Wash was on its way, as Scott opened a state-of-the-art conveyor-style car wash in Riverdale, GA, that was faster, more efficient and less expensive than any system used before.

His business shined and waxed at a rapid rate. Tidal Wave Express Wash started with two part-time employees in 2003 and one outlet; today, it employs almost 100 full- and part-time employees at 12 locations spread over three states but centered primarily in metro Atlanta. Sales have increased from $271,000 in 2004 to more than $6.5 million in 2007, while profits have gone from $22,435 to more than $2.7 million.

Scott's business model allows customers to tidy up their rides guilt-free, with a wash that's friendly to the environment and to the wallet. Tidal Wave invests $70,000 at each new location for a system that treats and recycles the water for reuse and purifies used water before returning it to the sewage system.

Notice of Scott's splash of success isn't limited to Georgia. He's answered the call to give presentations to his peers in the industry and trade publications have featured him.

But Scott isn't just special to his community for his entrepreneurial spirit and business acumen. His company provides much more than a buff and shine. Scott and wife Hope have a child with cerebral palsy and they hold a place in their hearts for people with special needs. S.S. Blackstock Inc. has donated more than $150,000 to causes that support children and adults with special needs, including a program where teachers from around the South can come for training to assist the wheelchair-bound in gaining physical independence.

I'm tremendously proud of Scott's contributions to Georgia's business community and to our fellow Georgians in need of a helping hand. I ask my colleagues in the House to join me in congratulating Scott Blackstock, the 2009 Small Business Administration Small Business Person honoree.

TRIBUTE TO ELAINE KLINE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. LATHAM. Madam Speaker, I rise to recognize Elaine Kline, former owner and operator of Elaine's Hair Design in Boone, Iowa.

Elaine has been a hair dresser for 50 years and a permanent makeup artist for over 20. She recently decided to hang up her shears and retire from owning Elaine's Hair Design after 36 years of business. Although she is retiring from the beauty shop, she will continue to do makeup as an independent contractor. Now that Elaine has more time on her hands, she plans to spend more time with her grandchildren and on her artwork, which she hopes to donate much of to her church and Iowa Right to Life.

Elaine has left a permanent mark on the city of Boone as several generations have passed through her salon. I know that my colleagues in the United States Congress join me in commending Elaine for her service to her community. I consider it an honor to represent Elaine Kline in Congress, and I wish her a long, happy and healthy future.

HONORING KYLE JOSEPH NIX

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kyle Joseph Nix a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America and in earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop participating in many scout activities. Over the many years Kyle has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kyle Joseph Nix for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

NO WELFARE FOR TERRORISTS ACT OF 2009

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. TIAHRT. Madam Speaker, today I am introducing the ''No Welfare for Terrorists Act of 2009.'' This legislation would proactively prohibit detainees currently at Guantanamo Bay from ever receiving government benefits at the federal, state and local levels.

Today at Guantanamo Bay there are around 240 hardened terrorists who have killed and/or plotted to kill Americans. These terrorists are among the most dangerous people in the world, and the Obama administration wants to bring them here to the United States. Earlier today in the House Committee on Appropriations, Congressional Democrats, in a party-line vote, agreed to support the administration's policy to bring terrorists currently detained at Guantanamo Bay to our soil. Homeland Security personnel are working hard to keep terrorists from entering our country and now the president wants to make special arrangements to bring these proven terrorists here.

The Obama administration has already authorized the release of 30 detainees from Guantanamo Bay. Dennis Blair, the Director of National Intelligence, has said that these terrorists should receive welfare benefits: ''If we are to release them in the United States, we need some sort of assistance for them to start a new life. You can't just put them on the street.''

We must not fool ourselves—those held at Guantanamo Bay are unrepentant terrorists determined to pursue their long held violent goals. Of the detainees already released from Guantanamo Bay, we know that over 60 have returned to a life of terrorism.

Maulvi Abdul Ghaffar was captured in early 2002 and held at Guantanamo Bay for eight months. After his release, Ghaffar became the Taliban's regional commander in Uruzgan and Helmand provinces, carrying out attacks on U.S. and Afghan forces.

In September, Saeed Shihri was responsible for an attack on the U.S. embassy in Yemen that killed nearly a dozen people. This was barely a year after he was released from Guantanamo Bay.

Abdallah Salih al-Ajmi, a Kuwaiti, was repatriated from Guantanamo in 2005, and transferred into Kuwaiti custody. After he was acquitted of terrorism charges in Kuwait, he committed a successful suicide attack in Mosul, Iraq on March 25, 2008.

Ibrahim Shafir Sen was transferred from Guantanamo Bay to Turkey in November 2003. In January 2008, Sen was arrested in Van, Turkey, and charged as the leader of an active al-Qaida cell.

These are just a few examples of the activities of the terrorists who have been released, thus far. The ones remaining at Guantanamo Bay are arguably even more dangerous.

The administration must be honest with the American people that they want to bring terrorists to the United States. By bringing these terrorists to America, the Obama administration will provide them with legal status. This would then qualify them for food stamps, cash assistance and health care—paid for by you and me, the very people they desire to kill. The American people have spent billions trying to protect this country from terrorists before they can kill innocent Americans, and now the administration is laying out the welcome mat for terrorists to roam our streets.

The ''No Welfare for Terrorists Act'' will prohibit any government benefits from being granted to any terrorists brought to the United States from Guantanamo Bay. The American people have already paid—with blood and lives. We're done. The American people, under no circumstance, should be required to pay welfare benefits to terrorists.

I ask all my colleagues to join me in bringing sanity to this debate and prevent our constituents' hard earned money from going to put terrorists on welfare rolls.

RYAN ANDREW ROBERTS MAKES HIS MARK ON THE WORLD

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. ETHERIDGE. Madam Speaker, I rise today to congratulate Richard Allen and Melissa Gregory Roberts on the birth of their child, Ryan Andrew Roberts. Ryan was born on Wednesday, April 15, 2009 at 10:30 am, weighed 8 pounds and 10 ounces, and was 20.5 inches long. My wife Faye joins me in wishing Richard and Melissa, and grandparents Joseph C. and Janice L. Gregory, Neil Richard Roberts, and Betty W. Marino great happiness upon this new addition to their family.

As the father of three, I know the joy and pride that Richard and Melissa feel at this special time. Children remind us of the incredible miracle of life, and they keep us young-at-heart. Every day they show us a new way to

view the world. I know the Roberts family looks forward to the changes and challenges that their new son will bring to their lives while taking pleasure in the many rewards they are sure to receive as they watch him grow.

I welcome young Ryan into the world and wish Richard and Melissa all the best as they raise him.

HONORING JOHN ANDREW NIX

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize John Andrew Nix a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America and in earning the most prestigious award of Eagle Scout.

John has been very active with his troop participating in many scout activities. Over the many years John has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending John Andrew Nix for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING ROBERT J. JOSSEN

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mrs. LOWEY. Madam Speaker, I rise today to recognize Mr. Robert J. Jossen for his accomplished legal career and dedication to the Jewish community of Westchester County, New York. On Tuesday, May 12, 2009, Mr. Jossen received The Jewish Theological Seminary 14th Annual Judge Simon H. Rifkind Award.

A graduate of Cornell University and Columbia University Law School, Mr. Jossen began his career as a law clerk for the Honorable Marvin E. Frankel of the U.S. District Court for the Southern District of New York. Currently a partner with the international law firm Dechert LLP, Bob is a fellow of the American College of Trial Lawyers and has been named one of this nation's best business litigators by Best Lawyers in America for the past ten years.

Mr. Jossen has demonstrated an admirable commitment to educating the next generation of attorneys, lecturing widely on ethics and other topics for the Practicing Law Institute and the New York State Bar Association. He has also served as an adjunct professor of Legal Ethics at both Columbia University Law School and St. John's University Law School, an adjunct lecturer in Professional Responsibility at Brooklyn Law School, and an instructor for the National Institute for Trial Advocacy.

From 2004 to 2007, Mr. Jossen served as president of Temple Israel Center of White Plains, New York, and has spent nearly twenty years serving as general counsel to the Rabbinical Assembly of the Conservative Movement. Bob has generously lent his time and talent to enriching New York's Jewish community, conducting annual seminars with graduating rabbinical students on confidentiality, counseling, and contracts.

Madam Speaker, I am proud to recognize the many accomplishments of Robert J. Jossen, and I urge my colleagues to join me in honoring his contributions to the legal profession and Jewish community.

RECOGNIZING OFFICER DAVID LOAR AND OFFICER CHRISTOPHER SKINNER AS RECIPIENTS OF THE 2009 TOP COP AWARD

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. CLEAVER. Madam Speaker, it is with great pride that I rise today to recognize Officers David Loar and Christopher Skinner of Kansas City, Missouri, as recipients of the 2009 Top COPS Award. This award is presented to outstanding law enforcement officers by the National Association of Police Organizations for acts that go above and beyond the call of duty. Officers Loar and Skinner were nominated for this award by their peers for actions they undertook in helping a 70 year old homeless man.

Officer Loar and Officer Skinner first met Harold, a retired trucker, on New Year's Eve in 2008 in the underground parking garage of a local shopping center in my district. Harold, who had lost his home in a divorce, also had his identification papers stolen while staying at a homeless shelter. Unable to get back on his feet, Harold was living in the underground garage. Upon meeting Harold, Officer Loar and Officer Skinner made the decision to help this elderly man reclaim his life.

Officer Loar and Officer Skinner worked to help Harold obtain a birth certificate, a Social Security card, photo identification, as well as a post office box. They brought him sandwiches and checked on him during the cold winter nights. Upon some investigation, Officers Loar and Skinner found that Harold was eligible for Social Security and Medicare benefits, and this enabled Harold to collect almost $10,000 in back benefits. Eventually, Officer Loar and Officer Skinner helped Harold find an apartment, and even paid for Harold to stay in a hotel until the apartment unit was ready for him to move into.

Madam Speaker, please join me in honoring Officer Loar and Officer Skinner for their commitment to helping Harold. These two police officers stand as an example to all in the Fifth District of Missouri, as well as the rest of the Nation. Many of us walk by homeless men and women everyday, yet few take the time to stop. Officer Loar and Officer Skinner walked into the parking garage that cold New Year's Eve and made the decision to help; they made the decision to be one of the few to change the course of someone's life. Officer Loar and Officer Skinner showed true compassion when they decided to help a stranger fight his way back off the streets. It is for these commendable actions that Officer Loar and Officer Skinner were awarded the 2009 Top COPS Award. I urge my colleagues of the 111th Congress to join me in congratulating Officer Loar and Officer Skinner on their well-deserved honor.

HONORING THE SERVICE OF ARKANSAS' PUBLIC SAFETY TELECOMMUNICATORS

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. BOOZMAN. Madam Speaker, I rise today to honor the service of Arkansas' public safety telecommunicators and emergency service dispatchers.

We're taught to call 9–1–1 in an emergency and these are the men and women who answer our call for help. They recently celebrated National Public Safety Telecommunicators Week. This special week honors the thousands of people who respond to emergency calls, dispatch emergency professionals, and offer life-saving assistance in our communities.

These civil servants work tirelessly to assure we have direct and immediate access to emergency responders whenever the need arises. We recognize these men and women for their service as well as their concentrated community outreach, training courses for students, senior citizens and church groups on the uses and abuses of the emergency telephone lines and the services available. These community awareness programs improve the quality of our telecommunicators' work.

Their commitment to excellence makes our communities a much safer place to live, and for that I thank them for their service. My appreciation for these Americans who help us every day is immeasurable. We must recognize and honor their efforts not only one week, but all year long.

HONORING KYLE THOMAS ALBERG

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kyle Thomas Alberg a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 332, and in earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop participating in many scout activities. Over the many years Kyle has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kyle Thomas Alberg for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING ARMED FORCES DAY

SPEECH OF

HON. ANN KIRKPATRICK

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

Ms. KIRKPATRICK of Arizona. Madam Speaker, I rise today in support of H. Res. 377, which observes this Saturday's Armed Forces Day and celebrates the courageous service of our men and women in uniform.

Our fighting men and women in the Army, Navy, Air Force, Marine Corps and Coast Guard, whether on active duty, reserve, or serving in the National Guard, have been protecting our Nation bravely and honorably since before we were even a Nation. They continue to do so today. I have just recently returned from the combat zone in Afghanistan, where I had the chance to visit with our troops on the frontlines of the struggle against global terrorism. I was impressed and moved by their commitment as they continue to sacrifice so much to keep us safe and free.

This year, we celebrate Armed Forces Day on May 16. I encourage all Americans to take time out of this day to thank those who have risked and too often given their lives to preserve freedom and democracy. But one day is not nearly enough to recognize all that the members of our Armed Forces have done for this country. Every day should be an Armed Forces Day, a Memorial Day and a Veterans' Day. We have done great work in this Congress to better keep our promises to our service members and our Veterans, but we still have much more to do to make sure they receive the treatment and respect they have earned.

In the coming weeks, I will be working to increase access to quality physical and mental health care and to great educational opportunities for our Veterans. I encourage all of my colleagues to support this resolution, but I also urge them to join in my efforts to try to pay the eternal debt of gratitude we owe to our fighting men and women.

HONORING ZACHARY RAYMOND BUKATY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Zachary Raymond Bukaty a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 332, and in earning the most prestigious award of Eagle Scout.

Zachary has been very active with his troop participating in many scout activities. Over the many years Zachary has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Zachary Raymond Bukaty for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes:

Mr. DINGELL. Mr. Chair, I rise today in strong support of H.R. 2187, the 21st Century Green High-Performing Public School Facilities Act. I joined a cosponsor of this legislation because I believe our children are our greatest hope and their success determines the future success of our nation. To best prepare them for their future, we have a responsibility to provide them with the best education possible.

Today's legislation helps to further that goal by ensuring that our school districts have the funding they need to provide safe and healthy learning environments for our children. We know that America's schools are millions of dollars short of the funding needed to renovate and equip our schools for the 21st Century. H.R. 2187 would authorize $6.4 billion for school facilities projects for fiscal year 2010, providing a down payment for work to modernize our schools, while at the same time greening our schools. This legislation also requires school improvement projects to meet green building standards, as well as provides funds to help schools to track the energy needs and use of their facilities. Under this bill, Michigan would receive over $244 million for school facilities projects.

As father and a grandfather, nothing is more important to me than ensuring that the schools in the 15th and Michigan are safe and well-constructed. However, with state budgets in peril, many schools are struggling to maintain their payrolls, let alone make the improvements necessary to their schools. We know that green schools reduce pollution by using about 30 percent less water and energy than conventional schools. By providing funding for green building and renovation, we will help relieve some of the burden on the school budgets by helping our schools to save on energy expenses. This will result in savings that schools can dedicate to modernization, equipment, or reform.

At the same time we are improving the buildings our children and grandchildren learn in, we are also creating much needed new jobs. An estimate by the Economic Policy Institute finds that this legislation would support as many as 136,000 new green jobs. This will put some of the thousands of unemployed in Michigan back to work, while also teaching them new skills in the clean energy sector.

In the 110th Congress the House passed this legislation, but unfortunately it was not considered by the Senate before adjournment. As the school year comes to a close, I urge my colleagues in the Senate to consider this legislation quickly so that this summer school districts across the country can begin greening their schools.

SUPPORTING THE GOALS OF MOTHER'S DAY

SPEECH OF

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 2009

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of House Resolution 388, celebrating the role of mothers in the United States and supporting the goals and ideals of Mother's Day.

House Resolution 388 enumerates not only the "immeasurable contributions toward building strong families, thriving communities, and ultimately a strong Nation" made by mothers but also the importance of Mother's Day in recognition of these contributions.

From hallowed chambers to corporate boardrooms to classrooms to assembly lines, none of us would be the individuals we are without our mothers. While every family, every relationship is unique, we know that the bond between a child and a maternal figure—whether a mother, a grandmother, a stepmother, or a foster mother—is so very important. Strong families are the backbone of our nation. It is therefore very appropriate that we take this time today to celebrate and recognize the contributions of our nation's mothers to the strength and prosperity of America.

Mr. Speaker, I would also like to take a moment of personal privilege, as I have done before on the floor of this House, to talk a little bit about a very special woman—my Mother, Mrs. Helen Cecelia Gannon Gingrey.

Born in New York City in 1918, my mother has lived and continues to live life to its fullest. From the hustle and bustle of Manhattan to the serenity and beauty of South Carolina, my mother—grounded in her deep faith and her love for her husband, her children, her grandchildren, and her great grandchildren—has never stopped, never strayed from her commitment to God and to family.

Mr. Speaker, at 91 years young, my mother has also refused to let time and its effects keep her down, so much so that at the end of last year, she opted for a second knee replacement—with full knowledge of the inherent risks—because of her commitment to living life and making the most of every opportunity that God has given her. She faced this challenge as she does everything—with a big smile and an abiding faith.

I am happy to report that in the months following the surgery, she has recovered very well and hasn't missed a beat. As this House honors our nation's mothers, I would like to say a special thank you to my mother, not just for the blessing that she has been to me and our family, but for being a shining example of a life well-lived.

Mr. Speaker, I urge my colleagues to support this Resolution for mothers everywhere, and I yield back.

SPENCER FISH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Spencer Fish of Liberty,

Missouri. Spencer is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Spencer has been very active with his troop, participating in many scout activities. Over the many years Spencer has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. He was also the recipient of the 12 Month Camper Award and the World Conservation Award.

Madam Speaker, I proudly ask you to join me in commending Spencer Fish for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes:

Ms. JACKSON-LEE of Texas. Mr. Chair, I stand before you today in support of H.R. 2187, the ''21st Century Green High-Performing Public School Facilities Act''. It is important that our youth have quality educational facilities. I support this bill because it directs the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, which many of our schools around the country are in desperate need of.

The grants that this piece of legislation will not only structurally improve the learning facilities, but make them safe, healthy, high-performing, and equipped with up-to-date technology. Our children can have access to updated science and engineering laboratory facilities, libraries, and career and technical education facilities. Furthermore, when a local educational agency receives a grant they can use the money for structural purposes such as repairing, replacing, or installing roofs. As well as extensive, intensive or semi-intensive green roofs, electrical wiring, plumbing systems, sewage systems, lighting systems, or components of such systems, windows, or doors, including security doors.

The monies allotted to schools will also benefit the health of our students. As Chair of the Congressional Children's Caucus I am very concerned about the toxins that our children are exposed to in their own classrooms. The legislation can provide for the abatement, removal, or interim controls of asbestos, polychlorinated biphenyls, mold, mildew, or lead-based paint hazards which we must remove from all of our buildings in America. They will be able to breathe better once heating, ventilation, and air conditioning systems are replaced resulting in better air quality.

Our students must be safe while at school. If there is an emergency, the schools must be prepared to handle it. Money from grants can also be used to bring public schools into compliance with fire, health, and safety codes, including professional installation of fire/life safety alarms, including modernizations, renovations, and repairs that ensure that schools are prepared for emergencies.

Finally, we need to think ahead to the future. Our nation needs to become aware of our wastefulness and make strides to become greener. Schools will be able to get a head start going green by making the necessary changes to reduce the consumption of coal, electricity, land, natural gas, oil, and/or water. In addition, schools can focus on energy efficiency and renewable energy by making improvements to building infrastructure to accommodate bicycle and pedestrian access, renewable energy generation and heating systems, including solar, photovoltaic, wind, geothermal, or biomass, including wood pellet, systems or components of such systems, make them more energy efficient, reduce class size.

This is an important piece of legislation that I urge all of my colleagues to support. Support it for our nation's children and our nation's health.

TRIBUTE TO FRANKIE MANNING

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to a giant of the Queens arts community—Frankie Manning, who passed away on April 27, 2009 at the age of 94.

Frankie Manning, the self-described ''Ambassador of the Lindy Hop,'' was an icon of the jazz dancing era. From the start of his career in the 1930s, Frankie was one of jazz dance's most elite dancers, becoming a fixture at venues like the Savoy Ballroom and the Cotton Club.

As Frankie became the face of the Lindy hop, he took his signature style on tours through Europe and South America, to the New York World's Fair, and to Hollywood, where his impressive performances graced a number of Hollywood films.

Never one to overlook service to his country, Frankie also served in the Army during World War II, serving in the Pacific theater. After years of professional dancing, Frankie also began work for the Postal Service in 1955.

Where most of us see retirement as a chance to relax, Frankie did the opposite, turning his retirement into a whirlwind of choreographing and teaching, as he helped bring the Lindy hop back into the national consciousness.

He received a Tony award for his Broadway choreography in 1989, and returned to Hollywood to train actor Denzel Washington on the Lindy in the film ''Malcolm X.'' In 2000, Frankie was awarded a National Heritage Fellowship from the National Endowment for the Arts.

Frankie will always be remembered as someone who never lost his love for dancing as he got older. In fact, in just a few weeks he was to celebrate his 95th birthday with a five-day festival and the premiere of a documentary on his life of dance. This event, now scheduled as a memorial, shows just how much spirit Frankie brought to his life and his dancing.

My condolences go out to Frankie's family, the dancers he worked with throughout his career, and to his many fans around the world. He brought so much life to the world of jazz dance, and the same energy and charisma to all his endeavors. Frankie Manning will certainly be missed, but I am confident that his spirit will live on.

BRYCE McDONALD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Bryce McDonald of Liberty, Missouri. Bryce is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Bryce has been very active with his troop, participating in many scout activities. Over the many years Bryce has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. He was also the recipient of the Eagles Soaring High award.

Madam Speaker, I proudly ask you to join me in commending Bryce McDonald for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING DR. PATRICIA L. STARCK FOR TWENTY-FIVE YEARS OF OUTSTANDING ACHIEVEMENTS AS DEAN OF THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON SCHOOL OF NURSING

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. CULBERSON. Madam Speaker, I rise today to honor Dr. Patricia L. Starck for twenty-five years of outstanding achievements as Dean of The University of Texas Health Science Center at Houston School of Nursing and to recognize her contributions to the health of Texans and countless others through her leadership in nursing education.

Dean Starck has shown exemplary leadership in addressing the national nursing shortage. Under her leadership, student enrollment in the School of Nursing and the number of faculty have nearly doubled; philanthropic giving has increased more than twenty-fold; the number of endowed scholarships has risen from two to twenty-four and the number of endowed chairs from one to thirteen; and seven research endowments have been created. She was appointed by Governor Rick Perry to serve on the Statewide Health Coordinating

Council and also serves as co-chair of the Texas Center for Nursing Workforce Study Advisory Committee.

Under her leadership, the School of Nursing has embarked on several new programmatic endeavors. Dean Starck worked tirelessly to ensure the creation of the Doctor of Nursing Practice Program, a practice doctorate degree focused on patient quality outcomes. The University of Texas School of Nursing at Houston was the first school in Texas to offer a Doctor of Nursing Practice (D.N.P.) degree. During her tenure, the School has also established the Women's Health Care Nursing Program; the Center for Nursing Research; the Center on Aging; the Pediatric Nursing Practitioner Program; the Neonatal Nursing Program; the Acute Care Nursing Program; the Adult Health Nursing Program; the Center for Substance Abuse Prevention, Education and Research; the Biological Sciences Laboratory; and the Nursing Leadership and Administration Program.

Dean Starck has also contributed to scholarship and research in her field, receiving fourteen grant awards for her work; publishing forty-five articles for journals; publishing and serving as editor on eighteen publications; and collaborating on and leading twelve clinical research projects and six education research projects for instructional distribution.

She has brought honor to the School and to herself as the recipient of numerous awards and distinctions, including the 2005 Health Policy Award; the Presidential Award for Distinguished Contributions and Sterling Leadership, the XIV Congress on Viktor Frankl's Logotherapy; the Griffin B. Bell Distinguished Lecturer, Georgia Southwestern State University; Sister Bernadette Armiger Award, American Association of Colleges of Nursing; Nursing Excellence Leadership Award, Houston Organization of Nurses; Distinguished Professional Woman's Award, The University of Texas Health Science Center at Houston Committee on the Status of Women 1993; Collaboration Between Nursing Service and Education Award, Council Deans/Directors and Nurse Executives; Woman of Excellence, Federation of Business and Professional Women; Outstanding Woman in Education, YWCA Honoree; Leadership Texas; and Lifetime Membership, Alumni Association, The University of Texas Health Science Center at Houston School of Nursing. She is a member of Sigma Xi, Sigma Theta Tau and Phi Kappa Phi societies; and is a Fellow of the American Academy of Nursing.

Congratulations to Dr. Patricia Starck for twenty-five years of outstanding work for The University of Texas Health Science Center at Houston School of Nursing, and best wishes for the years to come.

HONORING THE ACHIEVEMENTS OF MS. BRITTANY BERGQUIST

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. DELAHUNT. Madam Speaker, I rise today so that my colleagues in the House of Representatives can join me in congratulating a young, profoundly dedicated community volunteer—and a constituent of mine—Ms. Brittany Bergquist.

As a distinguished winner of the 2009 Prudential Spirit of Community Award, Brittany was recently named as one of our nation's top 10 youth volunteers. Her passion for improving the lives of others was sparked five years ago by a TV news story about an Army reservist who struggled with overwhelming cell phone bills while trying to keep in touch with his loved ones overseas. Sympathetic to our brave men and women in uniform, Brittany and her brother Robbie began raising money to send on their behalf. They scraped together piggy-bank savings, hosted car washes, and organized bake sales as their dedication to the cause intensified day-by-day.

Today, the nonprofit organization that the Bergquist kids co-founded—''Cell Phones for Soldiers''—has collected and recycled nearly 700,000 pre-paid phone cards for the men and women serving in our armed forces. She and her brother arranged for a recycling company to purchase donated phones; designed a Web site to spread awareness of their campaign; recruited volunteers from across the continent; and secured a large donation from a mobile phone company. To date, the Bergquist children have sent more than $2.5 million worth of one-hour phone cards to military hospitals and bases around the world.

What began as the idealistic initiative of a young girl and her brother, ''Cell Phones for Soldiers'' has blossomed into a national effort well-deserving of the recognition it has received. Brittany is an inspiration not only to the people of her home state of Massachusetts, but to young adults nationwide who aspire to make a difference.

On behalf of the thousands of soldiers who have been able to communicate with their families thanks to Brittany's efforts, I want to take this opportunity to recognize and thank her for her exemplary work and compassion. She is a young woman of exceptional potential, and I wish her the very best of luck in all her future endeavors.

A TRIBUTE TO CHRYSALIS AND THE 8TH ANNUAL CHRYSALIS BUTTERFLY BALL ON THE OCCASION OF THE ORGANIZATION'S 25TH ANNIVERSARY

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to recognize Chrysalis, a nonprofit organization based in Los Angeles County that is dedicated to helping economically disadvantaged and homeless individuals find jobs and become self-sufficient through employment opportunities.

The organization derives its name from the term used to describe the growth stage during which a caterpillar is transformed into a beautiful butterfly. Chrysalis, the organization, seeks to lead its clients on a similar path—transforming lives by helping people who have fallen on hard times work their way out of poverty and obtain economic stability.

When Chrysalis was founded by 22-year-old John Dillon 25 years ago, the organization was a food and shelter agency located on Skid Row in Downtown Los Angeles. John soon realized that he wanted to change the agency's focus. He then transformed the organization into what it is today: an agency dedicated to helping people find jobs and become self-sufficient through employment opportunities.

To date, Chrysalis has assisted more than 30,000 people on the path toward self-sufficiency at three centers located throughout areas in Los Angeles County where poverty is most pervasive: Downtown Los Angeles on Skid Row, Santa Monica, and Pacoima in the San Fernando Valley. Through its employment programs and services, Chrysalis helps more than 2,500 people each year. Chrysalis clients not only find employment, but they change their lives through their new jobs, reuniting with their families, decreasing their reliance on government support, renting their own apartments, and regaining self-esteem.

To support their work, Chrysalis will hold its 8th Annual Chrysalis Butterfly Ball on June 6 at the Mandeville Canyon home of Susan Harris and Hayward Kaiser. This incredible evening is supported by friends of Chrysalis, including executives and artists in film, television, and music who will come together to help raise funds to keep Chrysalis' doors open to people in need throughout the year.

In recognition of the important role of Chrysalis' supporters, this year's celebration will honor several individuals critical to the organization's success, including Bruce Cohen and Dan Jinks, Academy Award Winning producers most prominently known for their work on the movies MILK and AMERICAN BEAUTY, as well as Doug Ellin, the creator and executive producer of the HBO television series, ''Entourage.'' In addition, Chrysalis client Terry Moore will also be honored as this year's recipient of the John Dillon Butterfly Award. With the help of Chrysalis' services, Terry Moore overcame multiple barriers to find and keep a job, build a successful career, and regain dignity and self-esteem.

Madam Speaker, on the occasion of Chrysalis' 25th anniversary, I join today with my congressional colleagues in recognizing all of the many dedicated people who make this fine organization the beacon of hope that it is today. I extend my thanks to this year's honorees, incredible donors and supporters, invaluable volunteer force, the Chrysalis staff, and, most of all, the agency's clients. Chrysalis provides the resources that enable those seeking a brighter future to truly ''transform'' themselves and their lives, and I wish everyone involved with this fine organization many more years of continued success.

HONORING BUD DOGGETT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. STARK. Madam Speaker, this week the District of Columbia is renaming 10th Street, NW., ''Bud Doggett's Way'' after Leonard ''Bud'' Doggett, an iconic civic, business and political leader here in Washington who passed away last year. It's a well-deserved honor to an individual who devoted his life to making Washington, the Nation's Capital, a better place. During my tenure both as a member and Chairman of the House Committee on the District of Columbia I had the

privilege of knowing Bud and, as was the case for many, he became my friend.

Bud Doggett was born in Washington, returned here after World War II, and never left. He loved this city and worked tirelessly to help it and its residents. While building a significant corporate empire based on parking, real estate and banking, Bud kept an eye and a hand on everything political and important that shaped Washington over the past 50 years. Bud was ''old school,'' literally smoking cigars in the back room. He shunned publicity and attention, liked to refer to himself as a parking attendant, but Bud was the D.C. power broker who always had the best interest of the city at heart.

Bud spearheaded diversity in Washington's business community in the early 1960s when segregation was still pervasive if more quiet. He walked the streets with Mayor Washington to calm the turmoil after Martin Luther King, Jr.'s assassination, and played a decisive role in the election of most District leaders since Home Rule and the economic development that transformed a sleepy southern town to a world-class city.

With the strong, paternal hand came a softer heart. Bud's philanthropic efforts are legendary, anchored by HEROES, a largely anonymous group he founded in 1964 that helps the families of law enforcement and firefighters in the region who die in the line of duty. There are literally hundreds of families who have had their mortgages paid, their children sent to college, and their lives re-established because Bud and HEROES never forgot their loved one's sacrifice and were always there to help.

Bud was the last of his breed for Washington. There's no one with the same reach, respect, and authority to single-handedly keep the city on track. It's up to a new batch of political, business, and civic leaders to see if collectively they can provide the stability, direction and discipline that Bud did. It's a very tough act to follow.

TRIBUTE TO BRANDON AND TONY SILVERIA IN RECOGNITION OF THEIR DEDICATION TO CURBING UNDERAGE DRINKING IN OUR COUNTRY

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to honor Brandon Silveria and his father, Tony Silveria, two courageous individuals who have turned a personal tragedy into a message of hope and possibility for teenagers and their families across the country.

On March 1, 1987, Brandon Silveria had the world at his fingertips. He was a popular high school athlete in Los Gatos, California. He and his friends had dreams of making the Olympic rowing team and attending Boston College on rowing scholarships.

But on that day, Brandon's dreams were shattered by one bad decision. Brandon and his friends went to a party and drank alcohol. Seventeen-year-old Brandon drove everyone home. After he dropped his best friend off, Brandon continued the short drive to his house. He never made it. Brandon crashed his car into a tree and barely survived.

Brandon's parents, Tony and Shirley Silveria, rushed to the hospital to be by Brandon's side and faced the nightmare of almost losing their son to an underage drinking and driving crash. Brandon spent 3 months in a coma followed by 3 years in rehabilitation. Brandon had to relearn everything. Walking, talking and eating were skills he had to regain. He worked hard to recover and his family stood by his side and nursed him back to health.

Today, Brandon and Tony travel the country for The Century Council, a not-for-profit organization funded by distillers to fight drunk driving and underage drinking. Over the last 20 years they have spoken to over 2 million students in all 50 states across the nation—from Maine to California—and their story has been told on ''Rescue911,'' NBC's ''TODAY Show,'' and the Discovery Channel's ''HEALTHWATCH.'' Their message focuses on encouraging teens to make the right choices, resist peer pressure, and realize the trauma created by this kind of personal tragedy.

I first met the Silverias in the fall of 2007 when The Brandon Tells His Story program was featured at one of the high schools in my district. I was so moved by their presentation that I have worked with The Century Council to bring this compelling message to the teenagers and parents in two other high schools in my district.

Brandon walks and talks with great difficulty but that doesn't prevent him from delivering a forceful message to teens about the dangers and consequences of drinking and driving. He has permanent health problems as a result of a traumatic brain injury and must travel the country with his father. Tony has his own program for parents called Tony's Tips where he discusses the impact Brandon's crash had on his family and about the importance of talking to your kids about underage drinking. Many families unravel emotionally or financially in the face of a tragedy like Brandon's. Despite this often sad reality, the Silverias managed to pull together and make it their mission to deliver a lifesaving message to teenagers and families across the country.

Madam Speaker, because of the Silverias' mission to share their story, more than 2 million students have seen firsthand the tragic consequences of underage drinking and driving. I ask my colleagues to please join me in thanking Brandon and Tony for their courage and commitment to saving the lives of our nation's children, and in extending to them our best wishes for continued success in exemplifying for all us what it means to overcome tragedy and work to make a difference.

IN HONOR OF RABBI PETER H. GRUMBACHER

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Rabbi Peter H. Grumbacher for his retirement in June 2009 after more than thirty years of service at Congregation Beth Emeth and throughout the Delaware community.

Rabbi Grumbacher moved from New York City to Wilmington upon his ordination from Hebrew Union College-Jewish Institute of Religion. He became an Assistant Rabbi and Director of Education at Congregation Beth Emeth and after several years of service to the Jewish faith and the community, he was named Senior Rabbi in 1982. Constantly pursuing ways to better serve our community, the Rabbi earned his Masters of Social Work from the Wurzweiler School of Social Work of Yeshiva University.

Along with his strong emphasis on education, Rabbi Grumbacher also served on a variety of local boards, including as the chairperson of the State Human Relations Commission, chairperson of the Delaware Interfaith Coalition of Aging, and as the senior co-chair of the National Conference of Christians and Jews (now the National Conference for Community and Justice). Locally, the Rabbi served as a chaplain for Jewish patients for 27 years. On a national level, Rabbi Grumbacher serves on the National Commission for Rabbinic and Congressional Relations while also previously serving as President of the Mid-Atlantic Region Central Conference of American Rabbis.

Once again, I commend Rabbi Peter Grumbacher's achievements and over three decades as leader of Congregation Beth Emeth. His remarkable commitment to his congregation, our state, and our nation speaks volumes about his character, integrity, and selflessness. I am very fortunate to feel his positive impact in the community where my own family and friends reside, and I trust that this will still be so. I wish Rabbi Grumbacher the very best in his well-deserved retirement and am confident he will find happiness and success in all his future endeavors.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF FAIRFAX CABLE ACCESS CORPORATION (FAIRFAX PUBLIC ACCESS)

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize Fairfax Cable Access Corporation and to celebrate their 25 years of service to the community.

As a provider of public access television and radio programming, Fairfax Cable Access Corporation stands as an exceptional example of a nonprofit organization working closely with the community for mutual benefit. In 1984, Fairfax Public Access broadcast its very first program. From these humble beginnings, airing just a few hours each week, Fairfax Cable Access Corporation has grown into one of the larger organizations of its type in the country. Fairfax Public Access now operates two cable television channels and one cable radio channel. In 2008, Fairfax Public Access employed 20 full time staff members and aired 5,327 hours of programming.

This remarkable growth has been matched by the successes of Fairfax Cable Access Corporation in reaching out to our diverse community in Fairfax County. The programming is representative of the county's diverse ethnic, cultural and religious backgrounds. With programs in 14 different languages, Fairfax Cable Access Corporation is able to inform, educate and entertain peoples from around the world who call Fairfax home.

I particularly commend the educational training programs available from Fairfax Public Access in the fields of radio and television production. Thousands of individuals have successfully been trained in these fields by Fairfax Cable Access Corporation and their training program is now listed in the Adult Education catalogues for the local public schools systems.

In recognition of excellence, the Fairfax Cable Access Corporation has been awarded numerous Telly Awards which honors the very best in local, regional, cable and internet programming. The winners of this prestigious award are chosen from the thousands of entries received each year from all 50 states and 5 continents.

Madam Speaker, the quarter century of excellence from the Fairfax County Cable Access Corporation is a true success story, both for the organization and the many citizens it serves. I ask my colleagues to join me in paying tribute to the achievements of Fairfax Cable Access Corporation and to applaud their commitment to communication, education and service to the community.

HONORING THE MICHIGAN CENTRAL RAILROAD PASSENGER TRAIN STATION

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor today the Michigan Central Railroad Passenger Train Station in Jackson, Michigan as they celebrate the Second Annual National Train Day and the 140th Anniversary of the Transcontinental Railroad.

On May 10, 1869, in Promontory Summit, Utah, the ''golden spike'' was driven into the final tie that joined 1,776 miles of the Central Pacific and Union Pacific railways, ceremonially creating the nation's first transcontinental railroad. These railways provided jobs for thousands of Americans. Now, 140 years after the ''golden spike'' connected east and west, there's never been a better time to take the train.

In an era of many constant challenges and changes that face our daily lives and at a time when we all share the same pressing concerns about environment and energy conservation, trains are a more energy-efficient mode of travel than either autos or airplanes. The historic Michigan Central Railroad Passenger Train Station opened its doors to the public on September 1, 1873 and is the nation's oldest train station in continuous active use.

I am proud to join with the Jackson community in honor of this coast-to-coast celebration of the way trains connect people and places.

INTRODUCTION OF THE MEDICARE AMBULANCE ACCESS PRESERVATION ACT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. NEAL of Massachusetts. Madam Speaker, I rise today to introduce the Medicare Ambulance Access Preservation Act. This bill would ensure that my constituents in Massachusetts, and people across the country, continue to have access to ambulance services. Ambulance service providers are a critical part of our country's first responder and health care systems. In fact, as we discuss how to reform our health care system I can think of nothing more fundamental than ensuring that people have access to life-saving emergency ambulance care.

We all know the importance of ambulance services. Many of us see them every day transporting ill or injured individuals to the hospital. Some of us have even been transported and received pre-hospital care in an ambulance. Dedicated, skilled professionals work in these ambulances, ensuring that patients receive the care they need and ensuring that communities are prepared in the case of a disaster. The need to ensure the availability of these services is clear. Yet, Medicare reimbursement policy has harmed rather than helped to reach this goal.

Under the Balanced Budget Act of 1997, Congress authorized the Centers for Medicare and Medicaid Services (CMS) to develop a Medicare ambulance fee schedule. The rates developed under the fee schedule were significantly below what it cost many providers in Massachusetts to deliver services. In May 2007, the Government Accountability Office (GAO) confirmed this problem by determining that Medicare reimburses ambulance service providers on average 6 percent below their costs and 17 percent below cost in ''super rural'' areas. Ambulance providers aren't even breaking even in Medicare—Medicare reimburses ambulance providers below their costs for every person they transport.

Congress has recognized this shortfall and included temporary Medicare ambulance relief provisions in both the Medicare Modernization Act (MMA) and the Medicare Improvements for Patients and Providers Act (MIPPA). However, all of these provisions expire at the end of 2009. To address this problem, I have worked with ambulance service providers in my state to develop a permanent Medicare relief package.

My legislation would increase reimbursement to rural and urban ambulance suppliers by 6 percent, and super rural providers by 17 percent. These numbers are consistent with the GAO report. This package will ensure not only continued availability of ambulance services, but also that ambulance service providers will be able to maintain standards of providing quality health care to patients.

As we address health care reform, we must begin by remembering the basics. Ambulance services are a fundamental part of our health care system. Congress must ensure that all Americans continue to have access to ambulance services and that the dedicated men and women who provide ambulance services have the tools and resources they need to serve patients when timely, expert medical care is needed most. I ask my colleagues to join me in this effort by cosponsoring this important legislation.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. WOOLSEY. Madam Speaker, on May 13, 2009, I was unavoidably detained and was not able to record my vote for rollcall No. 249.

Had I been present I would have voted: rollcall No. 249—aye, on agreeing to the amendment.

THE REINTRODUCTION OF THE FILIPINO VETERANS FAMILY REUNIFICATION ACT

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. HIRONO. Madam Speaker, I rise today to reintroduce the Filipino Veterans Family Reunification Act, a companion to Senator AKAKA's bill of the same name, which will provide for the expedited reunification of the families of our Filipino World War II veterans.

As you know, Filipino veterans are those that honorably answered the call of President Franklin D. Roosevelt and served alongside our armed forces during World War II. They fought shoulder to shoulder with American servicemen; they sacrificed for the same just cause. We made a promise to provide full veterans' benefits to those who served with our troops. And while we have recently made appreciable progress toward fulfilling that long-ignored promise, we have not yet achieved the full equity that the Filipino veterans deserve.

In 1990, the Congress recognized the courage and commitment of the Filipino World War II veterans by providing them with a waiver from certain naturalization requirements. Many veterans thereafter became proud United States citizens and residents of our country. However, allowances were not made for their children and many have been waiting decades for petition approval.

The Filipino Veterans Family Reunification Act would allow for the further recognition of the service of the veterans by granting their children a special immigration status that would allow them to immigrate to the United States and be reunified with their aging parents. It is important to note that the Filipino soldiers who fought under the command of General Douglas McArthur at this critical time in our nation's history represent a unique category. These soldiers were members of the United States Armed Forces of the Far East. They were led to believe that at the end of the conflict they would be treated the same as American soldiers. It took more than sixty years to begin to make good on our commitment. The Filipino Veterans Family Reunification Act recognizes the special circumstances of this group of soldiers.

I look forward to working with my colleagues by providing for the reunification of our Filipino World War II veterans with their families.

IN RECOGNITION OF DONNA YEE

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. MATSUI. Madam Speaker, I rise today in tribute to Dr. Donna L. Yee for her ongoing efforts to improve and strengthen services to older persons in the Sacramento region. As Donna's colleagues, friends and family gather to honor her work, I ask all my colleagues in the House of Representatives to join me in recognizing this outstanding individual.

For over thirty-five years, Donna has been helping those in need of long term care. Since making Sacramento her home for the last decade, she has diligently worked and provided leadership to assure that social services are available, accessible, and acceptable to all elders.

Donna received her Master of Social Work from the University of Washington and her Ph.D. in Social Policy at the Heller School, Brandeis University. Prior to moving to Sacramento, she had most recently worked for the National Pacific Asian Center on Aging in Seattle and for the Institute for Health Policy at Brandeis University.

Since 2000, Donna has served as Chief Executive Officer of the Asian Community Center in Sacramento, which is one of the largest and most successful nonprofit organizations in my district. By identifying, developing, and providing culturally sensitive health and social services for older adults, the Asian Community Center enhances the general welfare and quality of life for a wide group of Sacramentans.

Donna has brought national recognition to the many programs that the Asian Community Center operates. The Center's Rides Transportation Program, which gives rides to seniors who can not drive themselves, won the Senior Transportation Action Response Special Recognition Award from the Beverly Foundation in October, 2008. In addition, the Asian Community Center's Nursing Home has earned the highest rating of five stars from the Centers for Medicare and Medicaid Services Agency.

Throughout her career, Donna has focused on capacity building, Medicare access, client-centered care, adult day care, assisted living, case management, hospital services for the aged, and has consistently provided support for the elderly and Asian Pacific Communities. In doing so, Donna has made her mark as one of Sacramento finest leaders.

Madam Speaker, I am honored to recognize Dr. Donna L. Yee for her lifetime of efforts to promote the quality and access of services for our senior citizens. She has done a tremendous job at the Asian Community Center and on behalf of the people of Sacramento and the Fifth Congressional District of California, I ask all my colleagues to join me in acknowledging her work.

RECOGNITION OF ARMED FORCES DAY: UNITED IN STRENGTH

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. SCHAUER. Madam Speaker, I am proud and it is my distinct privilege today to honor the men and women who have served our country. President Harry S. Truman led the effort to establish a single holiday, Armed Forces Day, for citizens to come together and thank our military members for their patriotic service in support of our country. On August 31, 1949, Secretary of Defense Louis Johnson announced the creation of an Armed Forces Day to replace separate Army, Navy, Marine Corps and Air Force Days. The single-day celebration stemmed from the unification of the Armed Forces under one department—the Department of Defense—and acknowledges the sacrifices Americans have made for freedom. Armed Forces Week has been celebrated every May since 1950. This period of time gives civilians a chance to appreciate the sacrifices of the men and women currently on active duty, those serving in the Guard and Reserve, and all those who served before them.

Sons and daughters of Michigan have answered their nation's call. We are humbled by those who show us that there is no greater love than this: to lay down your life in service to your neighbor. We honor those who take this risk every day. Today we remember those who have shown this greatest love and remember their families. As we gather today let us honor and commend the men and women who have served and currently serve in the military, for which we are forever grateful. May they know of the high esteem in which they are held by their family, their friends, their community and the great State of Michigan.

HONORING DOWNINGTOWN AREA SENIOR CENTER ON ITS 35TH ANNIVERSARY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. GERLACH. Madam Speaker, I rise today to congratulate the Downingtown Area Senior Center as it celebrates 35 years of outstanding service to senior citizens in Chester County, Pennsylvania.

The extremely hard-working and exceptionally dedicated staff at the Center provides an array of positive and informative programs that allow seniors to make new friends, enrich their lives and remain engaged in the community.

Madam Speaker, the Downingtown Area Senior Center will celebrate its 35th anniversary on Friday, May 15th, 2009, and I ask that my colleagues join me today in honoring the Center for reaching this special milestone and recognizing the valuable contributions the Center provides in improving the quality of life for the Downingtown area's senior citizens.

RECOGNIZING DR. H. RAY HOOPS ON HIS OUTSTANDING SERVICE TO THE UNIVERSITY OF SOUTHERN INDIANA

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. ELLSWORTH. Madam Speaker, I rise today to commend Dr. H. Ray Hoops on his outstanding service to the University of Southern Indiana (USI). Dr. Hoops is retiring after 15 years of extraordinary service to USI and the community.

During his tenure as USI's second president, Dr. Hoops has increased university enrollment, forged important partnerships with community leaders, and improved the university's academic record. His leadership has left a lasting mark on USI's physical appearance too, with many new state-of-the-art facilities.

Dr. Hoops is also an influential and visionary leader in the Evansville community. He serves on the Deaconess Hospital Board of Directors, the Evansville Education Roundtable, and the Southwest Indiana Economic Development Task Force. He is a former director and chair of the Indiana Conference of Higher Education.

Dr. Hoops has served as a tireless advocate for the students and faculty of USI. As an alumnus, I appreciate his work to bring additional opportunities and support to this outstanding educational institution. He will be missed, but I'm sure he's ready to spend his days hunting for pheasant instead of hunting for endowments. I wish him all the best.

TRIBUTE TO DEWAR'S 100TH ANNIVERSARY

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. McCARTHY of California. Madam Speaker, I rise today to honor a leading small business in our community, Dewar's Family Candy and Ice Cream Parlor, which is celebrating 100 years of operation in Bakersfield, California this weekend.

James H. Dewar started this family business in 1909 with a belief in quality ingredients no matter the cost. He felt that his customers should get the same quality every time they tasted a Dewar's chew, and they have been for the past 100 years. Dewar's is original from the bottom up; they still grind their own nuts, and make their own ice cream, ice milk, and peanut butter. The same recipes are being used by the current keepers of the legacy, Michael Dewar and Heather Dewar Cook, grandchildren of James Dewar.

I have been going to Dewar's my whole life, and particularly enjoyed a quick trip to Dewar's after school when I attended Bakersfield High School down the street. My children, Connor and Meghan, join my wife Judy and me in enjoying Dewar's on a regular basis in the same old-fashioned ice cream parlor we enjoyed in our youth. I always order a George's Special—that combination of homemade vanilla ice cream with chocolate sauce and banana in a milkshake that cannot be

beat. Dewar's chews are popular snacks in my office, and a wonderful way to share a little piece of Bakersfield.

Dewar's is a keystone of our small business community that measures success in its loyalty from generations of local customers. I thank Dewar's for its 100 years of tasty service to the people of Bakersfield and wish them the very best in its next 100 years.

A TRIBUTE TO CLAIRE POMEROY, UC DAVIS VICE CHANCELLOR FOR HUMAN HEALTH SCIENCES AND DEAN OF THE SCHOOL OF MEDICINE

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise today to pay tribute to Doctor Claire Pomeroy, who is receiving the distinguished United Cerebral Palsy of Greater Sacramento Humanitarian of the Year Award.

Overseeing the UC Davis Health System, Doctor Pomeroy has brought international recognition to cutting-edge discoveries; contributed to the training of doctors and medical investigators; and spearheaded new initiatives to provide comprehensive clinical care for the greater Sacramento community and our nation.

Most notably, Doctor Pomeroy has outstandingly served the public through the founding of the Center for Reducing Health Disparities and the establishment of Rural-PRIME, a program specifically designed to prepare physicians to practice in underserved rural communities.

The United Cerebral Palsy of Greater Sacramento should also be commended for the work that they do for all people with developmental disabilities. They have improved the quality of life, independence, and productivity for many citizens in my district, and have truly lived up to their motto of providing a ''life without limits for people with disabilities.''

It is an honor to recognize the United Cerebral Palsy of Greater Sacramento for their immense dedication to improving the wellbeing for so many individuals and also Doctor Claire Pomeroy for her commitment to academic excellence, innovation, collaboration, equality and social justice. Both have served my district and our nation proudly.

RECOGNIZING ARMED FORCES DAY

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, today I rise in support of H. Res. 377, ''Recognizing Armed Forces Day and the exemplary services of the members of the United States Armed Forces.'' This resolution was introduced by my distinguished colleague Representative CALVERT of California. The Armed Forces are an important part of the American society, and they deserve a day of admiration during National Military Appreciation Month. I am proud to today and offer my support to our Armed Forces as I publicly acknowledge their commitment and contributions to our country.

I do not believe there is a person in this House, or a person in this building, who does not feel a remarkable pride in the presence of the men and women who serve in our nation's military. The success of the Armed Forces depends on the dedicated service of its members, their families, and the civilian employees of the Department of Defense and the Coast Guard. Their incredible sacrifices and courage in the face of innumerable hazards have been critical to the preservation of the freedom, security, and prosperity enjoyed that we as Americans have come to love, enjoy, and even expect.

Armed Forces Day is an important part of National Military Appreciation Month. It is a day to celebrate and appreciate all the Armed Forces. The Armed Forces in our country are truly an admirable group of individuals who demonstrate the strength, unity, and community that the United States stands for. It is important we recognize the Armed Forces as individuals and as a group for all that they contribute to our great nation.

H. Res. 377 is essential to demonstrating the Congress's support and acknowledgement of such an important day. The Armed Forces are a substantial entity of our nation and greatly contributes to our strength as a nation on a very real and global level. H. Res. 377 will further emphasize this importance, and more importantly, focus on a genuine appreciation for all military involvement across the United States. To remain as a world leader, the United States must maintain a well-trained and well-equipped army. As a Representative of the Federal Government, we must encourage the people of the United States to recognize the values and principles of our nation which the military encompasses and the sacrifices made for our country by individuals and military entities.

The Armed Forces has greatly contributed to our nation, and it is only right they we demonstrate our support, appreciation, and gratitude for their service to our nation. I urge my colleagues to support this important resolution, and I extend a personal thank-you to those in the Armed Services. I hope that you all know your worth and to extend that you contribute to our country.

TEXAS

In the Iraq War, Texas has suffered over 222 resident casualties, second only to California. As a Representative for the 18th District of Texas, H. Res. 377 is very close to the hearts of those I represent. Many Texans hold a passion for protecting the integrity and strength of their nation, and as the recruitment numbers show, they often exercise their passion by joining the military. In past studies, Texas has been the number one state for military recruitment; therefore, recognition of military involvement is an important issue in Texas and in Houston.

Texas is home to more than 194,965 military personnel including a number of Army, Navy and Marine, Air Force, and Coast Guard bases. H. Res. 377 will encourage the citizens of Texas to reach out to those who are involved with the military and extend their gratitude for all that they do for our nation. Because there is a large population of military personnel in Texas, it is critical that we show them the support of their nation and their state for all the positive contributions they have brought. I firmly believe that H. Con. Res. 84 is a positive step for the recognition, acknowledgement, and gratitude that should be given to our military personnel, and I hope to see the National Military Appreciation Month become a special time for the state of Texas to recognize the national contributions.

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

SPEECH OF

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes:

Mr. FATTAH. Mr. Chair, noise is an environmental hazard similar to air, water, and ground pollution. Too much exposure to noise in an environment has a direct impact on the human body. Children, whose bodies and brains are still developing, more so than adults, are adversely affected by noise. A student's ability to hear and understand speech in the classroom is vital for learning. Unfortunately, noisy classrooms reduce the ability to learn. Noisy classrooms occur when the background noise and/or the amount of reverberation in the classroom are so high that they interfere with learning and teaching. We know that when classrooms are noisy it affects speech understanding, reading and spelling ability, behavior in the classroom, attention, concentration, and academic achievement. Learning in an excessively noisy environment is similar to trying to read in poorly lit room or obstructed by steps while in a wheel chair.

Therefore, the American Speech-Language-Hearing Association (ASHA) recommends an appropriate acoustical environment for all students in educational settings. ASHA endorses ANSI S12.60–2002 Acoustical Performance Criteria, Design Requirements, and Guidelines for Schools (ANSI S12.60–2002) as the national standards for classroom acoustics. It is well recognized that the acoustical environment in a classroom or other educational environment is a critical variable in the academic, psychoeducational, and psychosocial development of children with normal hearing as well as children with hearing loss and/or other disabilities (e.g., auditory processing disorders, learning disabilities, attention deficit disorders). Inappropriate levels of reverberation and/or noise can deleteriously affect speech perception, reading/spelling ability, classroom behavior, attention, concentration, and educational achievement. In addition to compromising student function, poor classroom acoustics may also negatively affect teacher performance and increase vocal pathologies and absenteeism. Thus, all educational settings have an incentive to develop acoustical conditions that meet national standards. For children with hearing loss and/or other disabilities, the acoustics of the proposed educational setting(s) should be considered and addressed

during the determination of a child's educational needs and placement.

Acoustical factors in a classroom include: (1) the level of the background (ambient) noise in the room; (2) the relative intensity of the information carrying components of the speech signal to the non-information carrying signal or noise (i.e., signal-to-noise ratio [SNR]); and (3) the reverberant characteristics of the environment. To achieve appropriate acoustical conditions in an educational setting, ASHA recommends the following:

(1) Unoccupied classroom noise levels must not exceed 35 dBA.

(2) The signal-to-noise ratio (SNR) should be at least +15 dB at the child's ears.

HONORING THE ALFRED E. ZAMPELLA JERSEY CITY HEIGHTS LEGEND

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. ROTHMAN of New Jersey. Madam Speaker, I rise today in recognition of Alfred E. Zampella, recipient of the Jersey City Heights Legend Award. This award honors my Hudson County Director, good friend and constituent, Al Zampella, for his lifelong commitment and dedication to the Jersey City community.

A lifelong resident of Jersey City, Al Zampella was born on February 8, 1923, the youngest of five boys. Coming from an iconic family in Jersey City, Al and his siblings all have made significant contributions to our community in their respective occupations. Al began his commitment to public service on the battlefields in World War II as a Lieutenant and was awarded the Distinguished Service Medal for his heroism during sea combat in the Asiatic Pacific Theater of Operations. He earned his undergraduate degree from Seton Hall University and an M.A. in Education Administration and Supervision from New York University.

Al served as Principal of Jersey City Public School No. 27 for 27 years, as a guiding, trusted force in the lives of thousands of students, encouraging them to remain in school and use their formal education to succeed in life. Al retired in 1990 and on November 7, 1996 received the great honor of having Public School No. 27 formally dedicated to him, and renamed the Alfred E. Zampella P.S. No. 27. Today the school continues the important work he started and has received many prestigious honors and awards recognizing its success.

Al's commitment to his community continued outside the walls of Public School No. 27. Not only is Al a member of many boards and organizations in Northern New Jersey, he also continues to serve the people of Jersey City as the Ninth Congressional District's Hudson County Director. But above everything else, Al Zampella is a family man. He and his wife Jaclyn have three exceptional sons: Edward, Walter, and Gary. And their grandchildren, Bailey, Evan, Lauren, Matthew, Francesca, and Juliana, are the light of their lives.

I cannot imagine the Heights section of Jersey City without this true legend: Al Zampella. My very best wishes go to Al and his family and I offer my sincerest and deepest appreciation and congratulations to him on his receiving the Jersey City Heights Legend Award.

HONORING RICHARD JONES

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Richard Jones upon his retirement from Oakdale Joint Unified School District as the Principal of Oakdale High School. Mr. Jones will be honored on Friday, May 15, 2009.

Richard Jones has been an educator for over thirty-five years. For the past ten years, he has served as an administrator within the Oakdale Joint Unified School District. Since 2001, he has served as the principal of Oakdale High School. Under Principal Jones' leadership, Oakdale High School has continued to develop and reach new heights of academic, athletic and extracurricular success. The school has consistently scored among the top schools in the region on annual state tests. The Academic Decathlon team at Oakdale High School has won the Stanislaus County championship for nine consecutive years. The school's Occupational Olympics, Science Olympiad and Model United Nations teams have also succeeded under Principal Jones. He has pushed the students to accelerate themselves by adding five advanced placement courses, and also included integrated mathematics courses for students struggling in that discipline.

Along with a variety of academic achievements, Principal Jones has also reinvigorated the school's athletic program. Oakdale High School's various athletic teams consistently finish near the top of the Valley Oak League. In the last eight years, the football team, baseball team and softball team have won the section championships. Principal Jones has been instrumental in obtaining facility upgrades at the school; including a state-of-the-art football field, as well as new baseball, soccer and softball fields. Currently, there are plans for a new aquatic center and three additional upgraded academic buildings. Sixty-five classrooms now have the latest technology available to students. Above all, Principal Jones has created an atmosphere on the campus that is safe and positive for staff and students.

Outside of his work at Oakdale High School, Principal Jones is active in the community. He has been a youth soccer, baseball and softball coach, the past secretary for the Oakdale Youth Soccer Association and past vice president of the Oakdale Youth Swim Team. He has served as a team leader for the accreditation of other high schools in Northern California under the Western Association of Schools and Colleges program. As a cancer survivor, Principal Jones has an active role in the annual Oakdale Relay for Life with the American Cancer Society. Finally, he is heavily involved with his church and has served in various roles over the years.

Madam Speaker, I rise today to commend and congratulate Principal Richard Jones upon his retirement from Oakdale High School. I invite my colleagues to join me in wishing Principal Jones many years of continued success.

CONSUMER DEBT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. PAUL. Madam Speaker, I rise to introduce legislation to help Americans struggling with consumer debt by excluding discharges of debt from the definition of taxable income. Currently, when someone is relieved of consumer debt, such as credit card debt, they are taxed on the forgiven debt. So, for example, if a credit card company agrees to forgive $12,000 of a $15,000 debt, the debtor's taxable income increases by $12,000—even though the debtor does not actually have an additional $12,000 in his or her bank account.

The only way for Americans to avoid turning cancelation of debt into a taxable event is by declaring bankruptcy or insolvency. Thus, the tax code's perverse incentives could cause more Americans to declare bankruptcy, which is neither in the best interest of the debtor or their creditors.

Madam Speaker, the tax code should not punish Americans who work out a settlement with their creditors that enables them to avoid bankruptcy. This is unfair to both the debtors and their creditors. I therefore encourage my colleagues to cosponsor my legislation removing discharged debt from the definition of taxable income.

PERSONAL EXPLANATION

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. CUMMINGS. Madam Speaker, on May 12 2009, due to an illness, I missed the following recorded votes:

Roll No. 243, on a Motion to Table a Resolution Raising a Question of the Privileges of the House; had I been present, I would have voted "aye";

Roll No. 244, on H. Res. 413—Supporting the goals and ideals of "IEEE Engineering the Future" Day on May 13, 2009; had I been present, I would have voted "aye"; and,

Roll No. 245, on H. Res. 378—Recognizing the 30th anniversary of the election of Margaret Thatcher as the first female Prime Minister of Great Britain; had I been present, I would have voted "aye."

HONORING THE GEORGE MITCHELL SCHOLARSHIP PROGRAM

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. KING of New York. Madam Speaker, today I rise and am proud to join my colleagues in supporting the George J. Mitchell Scholarship program. As someone who has long been dedicated to Ireland and Northern Ireland, I welcome the important work the United States-Ireland Alliance is doing to build a future for this relationship that reflects current realities.

While Ireland is certainly suffering from the current economic crisis, it is no longer the poor country that it once was. And as peace has taken hold in Northern Ireland, it is important that we find new ways to strengthen this relationship for future generations. While my colleagues and I will continue to keep a close eye on Northern Ireland as it moves forward, I agree with the Alliance's view that the future of the relationship will be focused less on politics and more on education, business and culture. This shift is the sign of success of the many changes that have occurred in Ireland in the past 15 years and I am proud of the role the U.S. has played in bringing those changes about.

While we strongly support and fund the Mitchell Scholarship program, I welcome the Alliance's desire to build an endowment for the program and I welcome Taoiseach Brian Cowen's commitment to match everything the Alliance raises toward this important goal.

CONGRATULATIONS TO PRESIDENT MA OF TAIWAN

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. BARTON of Texas. Madam Speaker, on May 20th, Taiwan will celebrate its president's first anniversary in office. Mr. Ma Ying-jeou was inaugurated president of the Republic of China (Taiwan) last May. His inauguration marked the second peaceful transfer of power from one political party to another, a result of Taiwan's progress toward full democratization during the last two decades. Today Taiwan validates itself as a mature, successful democracy. We are proud of its political transformation and wish Taiwan well in its future.

In addition, Taiwan is our 9th largest trading partner and imports from the United States in 2007 totaled over $27 billion. In recent years, Taiwan has been fully collaborating with us to combat global terrorism, as evidenced in part by its participation in the Container Security Initiative and its generous contribution to the Pentagon Memorial Fund. Under President Ma's leadership, we look forward to a strong and deepening of relations between Taiwan and the United States.

In closing, we congratulate Taiwan for its participation in the World Health Assembly meetings this May and also Taiwan's rapid rapprochement with the Chinese mainland. Both sides have reached a number of significant agreements, thus vastly reducing tensions across the Taiwan Strait.

Congratulations to the people of Taiwan on their president's first anniversary in office.

OUTSTANDING HIGH SCHOOL ARTISTS FROM THE 11TH CONGRESSIONAL DISTRICT OF NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. FRELINGHUYSEN. Madam Speaker, once again, I come to the floor to recognize the great success of strong local schools working with dedicated parents and teachers. I rise today to congratulate and honor a number of outstanding high school artists from the 11th Congressional District of New Jersey. Each of these talented students participated in the 2009 Congressional Art Competition, ''An Artistic Discovery,'' held at the Morris Museum, in Morris Township, New Jersey. Their works of art are exceptional!

We had fifty-four students participating. That was a wonderful response, and I would very much like to build on that participation for future competitions.

Madam Speaker, I would like to congratulate the three winners of our art competition. First Place was awarded to Caitlin Reid of Ridge High School for her work, ''I Don't Have Much of Anything, Except These Things I Hardly Deserve.'' Second Place was awarded to Genevieve Asselin from West Morris Mendham High School for her work, ''Mindset.'' Third Place was awarded to Allison O'Keeffe from Madison High School for her untitled work.

I would like to recognize each artist for their participation by indicating their high school, their name, and the title of their contest entry for the official CONGRESSIONAL RECORD.

Boonton High School: Saif Haobash's ''My Hand''; Claire Liu's ''Claire Liu''; Steven McKeown's ''Self Portrait''; Andrew Torpey's ''Stairway to the Sky''.

Chatham High School: Molly Higgins' ''In My Shoes''; Michelle Mruk's ''The Baron Meets His People''; Kim Stachenfeld's ''The World is Burning''; Lindsey VanderVleit's ''Anticipation''.

Livingston High School: Tamar Ariel's ''Concentration #7''; Kelly Keltos' ''Trevi Fountain''; Esther Kim's ''Street Grunge''; Sal Spaltro's ''Girl in the City''.

Madison High School: Hyebin Chung's ''My Collections''; Anne Groves' ''Sitting on the Upper Rideau''; Allison O'Keeffe's untitled work (Third Place); Emily Rutland's ''Wild Flower''.

Millburn High School: Henry Ehrenfried's ''Multi-faceted Self Portrait''; Jawon Kim's ''Self-Portrait Still Life in Pen'' (Honorable Mention); Chanthia Chanjuan Ma's ''Laughing Under the Sun''.

Montville High School: Keith Agnello's ''Aaron on West Delaran''; Joon An's ''Basic Household''; Jennifer Dinsfriend's ''Indonesian Still Life'' (Honorable Mention); Michael Johnston's ''Debris''.

Morris Catholic High School: Rebecca Fitzpatrick's untitled work; Kristin King's ''Standing Out in the Crowd''; Sery Kwon's untitled work; Christine Pierson's untitled work.

Morris Knolls High School: Lindsay Hescock's ''Suzanne''; Madeleine Provost's ''Papaya''; Victoria Reed's ''Geraldo''; Anita Sukha's ''Color the Mind''.

Morristown High School: Katrina Cervante's ''The Dining Room''; Michelle Kim's ''Sunflower''; Jack Taylor's ''Guantanamo''; Chelsea Tomblin's ''M.O.S.''.

Mount Olive High School: Heather Dalton's ''City Streets''; Brian Hays' ''Reflection of Ages Past''; Chantal McStay's ''Shadow Crane''; Jonathan Weiss' ''Childhood Energy''.

Ridge High School: Samantha Bard's ''As If''; Gabriella DeMarco's ''Going Green''; Caitlin Reid's ''I Don't Have Much of Anything Except These Things I Hardly Deserve'' (First Place); Kristen Spratford's ''The Unveiling''.

Roxbury High School: Natalie Florio's ''Look to the Light'' (Honorable Mention); Vicki Kienzlen's ''Man of the Sea''; Lauren Poggi's ''Breaking News''; Ephrath Tesfaye's untitled work.

Watchung Hills High School: Kristen Givens' ''Red Flower'' (Honorable Mention); Lisa Monetti's ''Photo 2 Surrealism''; Robert Verdino's ''Re-birth''.

West Morris Mendham High School: Genevieve Asselin's ''Mindset'' (Second Place); Blair Christen Hartman's ''Flight''; Nathan Krump's ''Ceramic Serenade''; Jillian Marinaro's ''Twisted''.

Each year the winner of the competition has their art work displayed with other winners from across the country in a special corridor here at the U.S. Capitol. Thousands of fellow Americans walk through that corridor and are reminded of the vast talents of our young men and women. Indeed, all of these young artists are winners, and we should be proud of their achievements so early in life.

Madam Speaker, I urge my colleagues to join me in congratulating these talented young people from New Jersey's 11th Congressional District.

RECOGNIZING THE 55TH ANNIVERSARY AND THE LASTING LEGACY OF THE HISTORIC SUPREME COURT CASE, BROWN V. BOARD OF EDUCATON OF TOPEKA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. HONDA. Madam Speaker, I rise today to recognize the fifty-fifth anniversary and the lasting legacy of the historic Supreme Court Case, Brown v. Board of Education of Topeka. Handed down on May 17, 1954, the Warren Court's unanimous decision stated that ''separate educational facilities are inherently unequal.'' As a result, de jure racial segregation was ruled a violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.

The case overturned earlier rulings going back to Plessy v. Ferguson in 1896 by declaring that state laws that established separate public schools for black and white students denied black children equal educational opportunities. This victory paved the way for integration and the civil rights movement.

Despite this historic victory, over half a century later, we still find huge disparities in the education and opportunities our children are provided at different schools. There have been some advances. Notably, the U.S. Supreme Court ushered in a new chapter in education with its 1974 unanimous decision in Lau v. Nichols, which enumerated the educational rights of English language learners and established that education is a civil right. The court ruled that simply providing all students with equal facilities, books, teachers, and curriculum was not sufficient to guarantee that all students had equal access to a quality education. Sadly, today we are still not fully providing equity in our schools.

Education is at the very center of our democratic meritocracy, and it is imperative that every American child be afforded a true opportunity to achieve their highest potential. To reach this ideal, we must establish an education system focused on each child's needs,

providing the support they need and wisely funded. We need equity in the education system, wherein resources are allocated based on need, not the current parity-based funding formula that fails to address the needs of each child.

Establishing a system that provides funding according to the needs of each child will get us closer to achieving equity. An equitable, need-based system will provide teachers with insight into the educational needs of each student in their classroom. Equitable funding will direct funds based on the needs of each student. Equitable funding will provide the resources to ensure each student will achieve individual success.

I have re-introduced the Educational Opportunity and Equity Commission Act, H.R. 1758, to begin the process of overhauling the country's education system and to finally address the disparities among America's schools. This legislation creates a national commission charged with gathering public opinions and insights about how government can improve education and eliminate disparities in the education system. Importantly, the Commission's composition would change the nature of the debate because it will be comprised of parents, teachers and experts on equity, civil rights, education policy, school finance, economics, and taxation. All users and beneficiaries of America's education system will work together from the ground up to develop a school reform road map.

As we mark the fifty-fifth anniversary of Brown v. Board of Education, we celebrate the advances we have made and re-affirm our commitment to provide a world-class education to each American child. We must ensure sufficient funding to provide a 21st century education to every child based on the child's individual needs, not categorical averages. I hope you will join me in challenging our leaders to fulfill on their obligation to advance the learning of every child.

HONORING ALAN CARTER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Alan Carter upon his retirement from the City of Modesto Police Department. Mr. Carter will be honored at his retirement party on Friday, May 15, 2009, at the Elks Lodge in Modesto, California.

Alan Carter's first assignment was as a patrol officer for the City of South San Francisco Police Department in 1978. He was there until 1983 when he was transferred to the City of Modesto Police Department. He has been with the Modesto Police Department ever since.

Over the past twenty-five years Sergeant Carter has held many positions. He began in Modesto as a patrol officer, then he was became a K–9 handler, a Heroin Impact Team Member and a Field Training Officer. In 1987, he became a detective. As a detective he worked various investigations including; Vice-Narcotics, background, internal affairs, hate crimes, officer involved shootings, complex economic crime, dignitary protection details and drug asset forfeiture cases. During his dignitary protection service he assisted the Secret Service and the California Governor's Office. Sergeant Carter served as the Modesto Police Department's court qualified drug expert from 1987 through 1994, where he testified in a large number of possession and possession for sale and sale of drug cases.

In 1995, Sergeant Carter reached the rank of Sergeant and was assigned as a Patrol Sergeant, Operations Division. For the past fourteen years he has worked on Adult Related Establishment Investigations and assisted in clearing out adult businesses in Modesto. He has testified before the California State Assembly regarding Municipalities controlling these sorts of businesses. For a number of years Sergeant Carter served as a Detective Sergeant; working with Investigative Services Division of Crimes Against Persons and Special Investigations Detail. During this time he supervised fifty-three homicide cases and fifteen officer involved shooting investigations. He served as the S.I.D. Supervisor where he oversaw investigations that involved hate crimes, vice investigations, drug asset forfeiture, arson, bomb threats, dignitary protection identity theft and other special fraud investigations. He served as the Assistant Public Information Officer and a Tactical Flight Officer.

From 2005 through 2007, Sergeant Carter was assigned as the Academy Coordinator at the Ray Simon Regional Criminal Justice Training Center. His final position has been Unit Supervisor for the Sacramento Valley Hi-Tech Crimes Task Force; he has investigated computer crimes and forensics, including Hi-Tech, identity theft and Internet Crimes Against Children. In addition to all of the work that he has performed for the police department, Sergeant Carter has been working with the Honor and Color Guard since 1985. He has lead a team of twelve officers for police officer funerals, memorials and city functions.

Madam Speaker, I rise today to commend and congratulate Sergeant Alan Carter upon his retirement from the City of Modesto Police Department. I invite my colleagues to join me in wishing Sergeant Carter many years of continued success.

MEDAL OF HONOR COMMEMORATIVE COIN ACT OF 2009

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

Ms. JACKSON-LEE of Texas. I rise before you today in order to show my support for H.R. 1209, "Medal of Honor Commemorative Coin Act of 2009." The coins minted as a result of this legislation will be in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

In these times of war and economic uncertainty I think it is important to honor those who served America to their greatest capacity. Moreover, recognition of this great honor will foster patriotism and inspire and encourage the youth of America to become worthy citizens.

Only those who performed a deed of personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above his or her comrades and must have involved risk of life can receive a Medal of Honor. Incontestable proof of the performance of the service will be exacted and each recommendation for the award of this decoration will be considered on the standard of extraordinary merit. This award is so prestigious that fewer than 3,500 Medals of Honor have been awarded to members of the United States Armed Forces.

The Medal of Honor Commemorative Coin Act of 2009 as passed would direct the Secretary of the Treasury to mint and issue $5 gold coins and $1 silver coins emblematic of the design selected by the Secretary, after consultation with the Boards of the Congressional Medal of Honor Society and the Congressional Medal of Honor Foundation, in honor of the distinguished service of the American military men and women who have been Medal of Honor recipients.

The design for the coins minted under this Act will contain motifs that represent the 3 Medal of Honor designs (Army, Navy, and Air Force) and specifically honor the Medal of Honor recipients of both today and yesterday, such designs that are consistent with the traditions and heritage of the United States Armed Services, the mission and goals of the Congressional Medal of Honor Society, and the mission and goals of the Congressional Medal of Honor Foundation.

The coins will only be available for a limited time. The period for coin issuance will be for the calendar year 2011. The coins minted under this Act shall be legal tender, however coins minted under this Act shall be issued in uncirculated and proof qualities.

The treasury will only be producing no more than 100,000 $5 gold coins and no more than 500,000 $1 coins. I think it is wonderful that the surcharges imposed for the purchase of these coins will be distributed to the Congressional Medal of Honor Foundation to help finance educational, scholarship, and outreach programs of the Foundation.

SUPPORT FOR DESIGNATING FEDERAL BUILDING AFTER RONALD H. BROWN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. RANGEL. Madam Speaker, I rise today to express my appreciation and excitement that the Senate Committee on Environment and Public Works has passed my bill, H.R. 837, which would designate a new State Department building in New York City as the Ronald H. Brown United States Mission to the United Nations Building in honor of the late Commerce Secretary. The 26-story building, located at 799 United Nations Plaza, across the street from the United Nations (U.N.) General Assembly, will house the United States Delegation to the U.N., which carries out the

Nation's participating activities in the world body. The building is expected to be completed this fall.

This legislation, which I have introduced in the past three Congresses, is long overdue. Thanks to the leadership of Chairman BARBARA BOXER of the Senate Committee on Environment and Public Works, and the support of my New York colleague, Senator KIRSTEN GILLIBRAND, who serves on the Committee, the bill now awaits passage by the full Senate. If successful, it would go to the President to be signed into law. I feel very hopeful that Congress will finally and rightfully recognize this great public servant as one of the greatest international salesmen of the United States in our history.

As Secretary of Commerce under President Bill Clinton's cabinet, Ron Brown became one of the greatest ambassadors that the American government ever had abroad. He did more than just extend trade and get people to buy our goods and services. He extended love, attention and sensitivity, especially in the developing countries where our government had not spent the time that we should have. Secretary Brown not only sold our wares, but he was able to sell our reputation as a country that wanted to help other countries.

I went with him to South Africa and saw how he negotiated with political leaders there. He did more than talk about which South African party was right or wrong or how to bring about solidarity. He asked how we could help the people get clean water, medicine, and food. Secretary Brown let them know that our multinational companies were there not just for their shareholders, but for the shareholders of the world.

Secretary Brown, a native of Washington, D.C., grew up in Harlem where his father once worked as manager of the community's famous Theresa Hotel. I was proud to be a desk clerk at the time that Ron and his family were living there. So I know that Ron never forgot Harlem. Throughout his life, Ron Brown broke many barriers. He was the first African-American to serve as Secretary of Commerce and the first African-American Chairman of a national political party.

In addition, he advanced civil rights as Deputy Executive Director at the National Urban League, served four years in the U.S. military, and, as Democratic Party Chairman, played an instrumental role in the revival of the Democratic Party and the 1992 election of Bill Clinton as President of the United States. Secretary Brown died in a plane crash in 1996 on a trade mission requested by the State Department to boost economic reconstruction of the war torn region of former Yugoslavia.

It would be fitting that when people come to New York, they would see diverse peoples of different colors, languages, and cultures, and the U.S. Mission to the United Nations Building bearing Ron Brown's name. There could not be a sight that would be more reminiscent of the man and the contributions he made to my community, this country, and the world.

TRIBUTE TO THE LATE WALTER HIERSTEINER

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to my longtime, good friend, Walter Hiersteiner. He was an outstanding community leader in the Kansas City metropolitan area. A resident of Prairie Village, Kansas, Walt died on May 2nd at the age of 90, having lived a rich, full life that made a positive difference in the lives of his many friends and neighbors.

Walt was born in Des Moines, Iowa, and attended the University of Iowa and Harvard Law School, where he was a member of the law review. After serving in the Navy in World War II, he moved to Kansas City to practice law and later joined Tension Envelope, where he became vice chairman of the board of directors. Walt's first love was his family, especially his wife, Jean, and his grandchildren, to whom he was unconditionally devoted.

Walt was also devoted to his community. He was elected to the City Council of Fairway, Kansas. He served over 40 years on the Menorah Medical Center Board of Directors and was a member of the Executive Committee of the Truman Medical Center and the Truman Medical Center Foundation. He was active in the Kansas City Chamber of Commerce and the Overland Park Chamber of Commerce and was a member of the Board of Directors of Move-Up, which was formerly the Kansas City Ad Hoc Group Against Crime. He was a founding member of the Main Street Coalition. His passions, after family and golf, were enhancing public school education for the children of Shawnee Mission and the State of Kansas. He was elected to the Shawnee Mission School District Board of Education. He was appointed by Governor Robert Docking to serve on the Kansas Board of Regents and became chairman of that board. In addition he was co-chairman of the Committee for Excellence of the Shawnee Mission Schools and served on the Board of Governors of Kansas University Law School and the Kansas Higher Education Loan Program. These activities earned him the Kansas City Spirit Award and the Shawnee Mission Education Foundation Patron Award for service and support of Johnson County Schools. He was named Johnson Countian of the Year. Walt and Jean established the Walter and Jean Hiersteiner Early Childhood Development Center at the Johnson County Community College.

Walt is survived by Jean, his wife of 65 years; four children, Dick and Erica Hiersteiner of Boston, Massachusetts, Mary and David Ruedig of Concord, New Hampshire, Joe and Cathy Hiersteiner of Kansas City, and Dottie and Peter Oatman of Boulder, Colorado; nine grandchildren and his brother, Stanley of Des Moines, Iowa; his sister Shirley Feldman of Sleepy Hollow, New York, and several nieces and nephews.

Madam Speaker, Walt Hiersteiner was a vitally important community leader and activist in the Third Congressional District of Kansas, as well as my personal friend for many years. I include with this tribute two press articles that detail some of his many accomplishments for our community; a 2002 column in the Kansas City Business Journal by former Kansas City Board of Trade President/CEO Michael Braude, and an article that the Kansas City Star carried upon Walt's death. Both detail the impact that Walt Hiersteiner had upon the Kansas City community, and explain why he will be sorely missed by all of us.

[From the Kansas City Business Journal, Sept. 27, 2002]

LOCAL EXECUTIVE LEAVES HIS MARK ON HEALTH CARE, EDUCATION

(By Michael Braude)

I am not bad at hyperbole—but hyperbole is impossible when it comes to the subject of today's column.

''Role model,'' ''pillar of our community,'' ''business leader with a true social conscience'' all fail to do justice to Walter Hiersteiner. His considerable accomplishments in the business world as a top executive at Tension Envelope Corp. are eclipsed only by his pivotal role in making our community a better place. His imprint on health and education in the heartland is indelible.

John W. Bluford, CEO at Truman Medical Centers, said:

''Walter Hiersteiner has been a tremendous asset to Truman Medical Centers for a number of years and in a number of ways. In addition to his financial support, which has provided, among other gifts, scholarships for nurses, he has given moral support and advice to TMC through his formal roles as member of the TMC board of directors and TMC Charitable Foundation. But most of all, Walt has acted as conscience, sage, statesman and mentor. He is our 'go to' man, and when we go to him, he always delivers.''

At all levels of education, Walter has left his positive imprint. Marjorie Kaplan, superintendent of the Shawnee Mission School District, told me recently:

''Walt is a truly fine person with many talents. He has a passion for learning and is an articulate spokesperson for providing a quality education for all children. He understands the connection between public schooling and quality of life. Ever interested and ever active, Walt has never lost his enthusiasm for supporting just causes and improving our community.

''A longtime supporter of our school district, Walt has served on the Shawnee Mission Board of Education and as chairperson and member of numerous committees. With his sharp mind, his ability to analyze situations and solve problems, Walt has been an asset to Shawnee Mission for over 3o years.''

It was on school issues that I first met Walter, and I now have been privileged to call him friend for more than 3o years. Before unification, when I ran for the old Westwood View School Board, it was his sage counsel that enabled me to win the election. Now, more than three decades later, when I want to know what is really going on at any level of education in our area, I call Walt. Walt also calls me. Since I've been writing for The Business Journal, he never hesitates to call when he either agrees or disagrees with my point of view. Frankly, when the latter is the case, I always pause and ask myself: ''Was I wrong?'' This is simply because I have so much respect for his judgment and opinions. Walt's position on issues or candidates is never based on ideology or party affiliation but rather on what he believes is best for the people of Kansas City. That is precisely how it should be.

Walter's longtime friend Paul Uhlmann Jr. captured the essence of the man when he said:

''Walter has had a major effect on life in greater Kansas City. His high offices held, in many diverse organizations, are proof of his ability and of his stature. However, his real

work is, in my opinion, his ability to give moral leadership to the not-for-profit marketplace world and intellectual force to problem-solving.

''All the above with a soft voice, a mild and pleasant manner, a bow tie, a firm jaw and an unshakeable faith in our country and its ability to solve its, and maybe the world's, problems.''

A lengthy editorial in a recent edition of the Sunday New York Times decried the fact that the national mood of ''wanting to make the world a better place'' that was so pervasive after Sept. 11, 2001, has largely evaporated.

Walter personified and daily lived that credo long before 9/11, and he will continue to do so for the rest of his life. It did not take a monumental national tragedy to light the spark of true community service in this extraordinary human being.

As John Bluford, Marjorie Kaplan, Paul Uhlmann and I look objectively at Walter Hiersteiner, almost any adjective we use is not hyperbole; it is understatement. We are so fortunate to have him in our community.

[From the Kansas City Star, May 8, 2009]

''MR. SHAWNEE MISSION,'' WALTER HIERSTEINER, WAS ''VOICE OF REASON''

(By Jim Sullinger)

The late 1960s could arguably be called the most challenging period in the history of the Shawnee Mission School District.

The northeast Johnson County community faced a decision that was hotly debated at the time—school consolidation.

The area's elementary schools were divided among 12 small school districts, and the Kansas Legislature was demanding that they consolidate with the Shawnee Mission district's high schools and junior highs.

In the mid-1960s, voters defeated a consolidation effort by a large margin. That didn't stop the Legislature, however, from passing Senate Bill 58 in 1969 that required consolidation that year.

Emotions were running high on the part of parents who faced the loss of their elementary districts.

Into the fray stepped Walter Hiersteiner, elected to an at-large position on the Shawnee Mission School Board in April 1969. He worked tirelessly that year to convince skeptical parents that this was the right move and smoothed the way for the transition.

Arzell Ball was school superintendent at the time and remembered Hiersteiner's contributions.

''He was a consensus builder,'' Ball said, ''He could motivate and direct others, and his communication skills were just excellent. And he had the respect of the community because he gave back to the community all the time.''

He was a calming presence during that difficult period and later when the district began closing schools.

David Westbrook, the district's first communications director, said Hiersteiner was dedicated to public education and his voice will be missed.

Hiersteiner, 90, died last weekend.

''He was critically important to the school district at a time the district was going through some trying times right after unification,'' Westbrook said.

He said there was friction on the school board between moderates and newly elected conservatives.

''He was a voice of reason and stood for principle and was firm in his convictions, but that firmness was balanced by a humble open-mindedness,'' he said.

Friends remembered that when a school was scheduled to be closed, Hiersteiner would consult influential contacts to come up with another use for the property that would make the closing a little more palatable for the surrounding neighborhoods.

He served on the school board until 1973 and as president during his last two years on the board.

During the 1980s, Hiersteiner was a founder and co-chairman of the Committee for Excellence in Shawnee Mission Schools, which is still operating today as the Committee for Excellence. He was a leader in efforts to pass several school bond issues and an advocate for more school dollars.

He was appointed by former Gov. Robert F. Bennett to the Kansas Board of Regents and became chairman of that board. He also served on the Board of Governors of the Kansas University Law School and the Kansas Higher Education Loan Program.

If anyone deserved the title ''Mr. Shawnee Mission,'' it was Hiersteiner, who was an executive at Tension Envelope Corporation for more than 60 years and a Harvard Law School graduate.

''He was without a doubt the finest advocate for public schools that we ever saw previously and maybe we ever will,'' said Larry Winn III, a current board member. ''He inspired a lot of people who came after him.''

Annabeth Surbaugh, chairwoman of the Johnson County Board of Commissioners, said she will remember Hiersteiner as ''Mr. Education.''

''It's true that his primary focus was the Shawnee Mission School District, but his strong commitment to top-quality education wasn't limited by boundaries,'' she said. ''He truly believed it was our responsibility—as a community—to ensure that our children had the very best education possible, and he was a staunch advocate for that cause.''

KOREAN WAR VETERANS ASSOCIATION

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. ARCURI. Mr. Speaker, I rise today to commend the members of the Korean War Veterans Association, Cayuga County Chapter 296, on their commitment and efforts to renovate the Veterans Memorial Park in Auburn, NY.

The Veterans Memorial Park is nearly a two-year project in the making designed to honor our country's veterans of all wars and conflicts since the Revolutionary War. Notably, this memorial also pays tribute to all those servicemembers who joined the U.S. Armed Forces, regardless of whether they did or did not serve overseas during a time of war. I am proud to represent a district that has chosen, so admirably, to recognize every man and woman that serves our nation. These communities rightfully understand that the decision to join the United States Armed Forces, regardless of one's terms of service, means that an individual is prepared to give his or her life for the safety and future of this country. I have the great pleasure of calling my district home to the Veterans Memorial Park, which may be arguably one of the most inclusive veteran memorials in the country.

The Auburn City Council, Auburn City Manager, and Mayor of Auburn have chosen the following representatives from the Cayuga County Chapter 296 Korean War Veterans Association to lead this effort: John Barwinczok, Chairman; Lyell I. Brown; Professor Joseph M.A. Camardo; Joseph Casper; James Ferris; Donald T. Tavener; and Michael A. Trapani. The dedication of the Veterans Memorial Park is scheduled for June 14, 2009. I wholeheartedly commend these individuals for their efforts on behalf of our veterans and the entire community.

Madam Speaker, I ask that all of my colleagues in the House of Representatives join me today in recognizing the efforts of the Korean War Veterans Association, Cayuga County Chapter 296, as they move towards completing their goal and paying tribute to those who have sacrificed for their nation. I wish them the best of luck in the future as they continue to better our community.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to honor Asian Pacific American Heritage Month.

As a cosponsor of H. Res. 435, which celebrates Asian Pacific American Heritage Month, I would like to first thank Congressman HONDA for leading the Democratic Caucus in recognizing the important contributions the Asian and Pacific Islander American (APIA) community has made to our nation.

As Representative of the 47th Congressional District of California, I have the honor of representing one of the most diverse communities in the United States. I have witnessed firsthand the rich culture and contributions the APIA community bring to my district in Orange County, CA.

In recent years, we have seen an increasing number of Asian and Pacific Islander Americans become leaders in academia, arts, government, the military, and the private sector. They contribute to all aspects of American life, and in doing so they enrich the lives of all Americans and make this country stronger.

I especially commend President Obama for his leadership in reaching out to the Asian and Pacific Islander American community. This year marks a special occasion, as it is the first time the Presidential Branch has appointed a record number of Asian-Americans to the Cabinet, including the Secretary of Energy, Steven Chu; Secretary of Commerce, Gary Locke; and Secretary of Veterans Affair, Eric Shinseki. Their hard-work and sacrifice have made a significant impact on America and opened doors for future generations of Asian Pacific Americans.

Although it is imperative to recognize the achievements of the APIA community, it is also important for us to focus on the challenges they face, including affordable housing, racial profiling, and health care issues. Another issue the APIA community faces is the perception that all members of this community are thriving economically. In reality, not all Asian Pacific Islander Americans have access to a quality education and many continue to face tremendous language barriers.

The APIA community has made sacrifices for our country and contributed to the growth and prosperity of this nation. I look forward to celebrating APIA month and continuing to

work with APIA leaders to overcome the ongoing challenges that face all our communities. Together, we can make the American dream a reality for all Americans.

CONGRATULATING LAUREN ZUMBACH

HON. JUDY BIGGERT

OF ILINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mrs. BIGGERT. Mr. Speaker, I rise today to honor and congratulate a remarkable young woman from my district, Lauren Zumbach, who was just announced as a 2009 Presidential Scholar. The Presidential Scholar program annually recognizes 141 of the nation's most exemplary high school seniors, students who have demonstrated outstanding academic performance, as well as exemplary leadership, citizenship and community service.

Lauren embodies all of these traits. A poised and confident young woman, Lauren is a leader both in and out of the classroom. As a student-athlete at Hinsdale Central High School, Lauren has been a straight "A" student while contributing to her state championship cross-country team. Her accomplishments do not end here.

Outside the classroom, Lauren has organized workdays to improve local forest preserves. She assisted in raising $18,000 to help cure parasite-afflicted children in Haiti. She has worked with my office and local law enforcement to instruct area school children about safe online behavior. And just last fall, Lauren was the impetus behind "Trot for the Troops," a 5k race that raised money for the Illinois chapter of Operation Homefront, an organization benefitting our men and women in uniform as well as their families.

In a few weeks, Lauren will graduate from Hinsdale Central High School; this fall she'll attend Princeton, which, I have no doubt, will be better for her being there. I am so proud of Lauren for her achievement and congratulate her on receiving the 2009 Presidential Scholar Award.

THE CAPITOL VISITOR CENTER WELCOMES ITS ONE MILLIONTH VISITOR

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, I rise today to acknowledge an important milestone. At some point early this afternoon, the Capitol Visitor Center will welcome its one millionth visitor. While the specific individual will not be identified, that person will represent the millions of annual visitors who journey to the United States Capitol Complex to witness firsthand our democracy at work. These schoolchildren, senior citizens, families and international visitors hopefully depart with a greater understanding of the unique and extraordinary nature of our system of government and the history of this great nation.

Officially opened on December 3, 2008, the Capitol Visitor Center serves as the gateway to the United States Capitol Complex. With the opening of the Visitor Center and renewed interest in government, we are seeing more than twice as many visitors as we did before. The Visitor Center's one million visitors compares to 467,800 visitors during the same five-month period just one year ago. That represents a 114-percent increase in the number of people visiting the Capitol.

During the 12 days of the Cherry Blossom Festival, the Capitol Visitor Center welcomed 187,000 people—an average of 15,500 visitors a day. More than 90 percent of the visitors during this period had reserved their tours through their Members of Congress.

Since its opening, the CVC's peak day was Monday, April 20th when 19,500 people visited the Capitol. I am told that, in past years, that many visitors would have led to a four-hour wait time. The current average wait time is six to ten minutes.

With all of these accomplishments, I am most proud to confirm that, as promised, we continue to offer staff-led tours! And in its first few months of operations, the Visitor Center staff has made many adjustments to ensure that the Visitor Center provides flexibility to Members of Congress in serving their constituents.

I would like to take this opportunity to extend my congratulations to the CEO of the Capitol Visitor Center, Ms. Terrie Rouse, and to her team of professionals who are often the first individuals to greet our constituents during their Capitol visits. I offer special thanks to the tour guides, visitor assistants, Capitol Police, gift shop and restaurant staffs and the many, many others who ensure that visitors have an informative and inspirational visit. I would also like to thank my colleagues and the various staff members who have taken the time to offer their input and work with the CVC staff to improve the visitor experience.

We thank you for your service and look forward to welcoming the next one million visitors.

CONGRATULATING TAIWAN FOR ITS PARTICIPATION IN THE WORLD HEALTH ASSEMBLY

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. COBLE. Madam Speaker, the World Health Organization (WHO) recently approved Taiwan's request to participate in the 62nd annual World Health Assembly (WHA) in Geneva later this month. Taiwan is a longtime ally of the United States, and we applaud the WHO's decision to include Taiwan in the WHA.

While the threat of a pandemic outbreak pales the countless other world health concerns, preparing, planning and responding to an outbreak requires the participation of every country. Asia is an area of great concern because of its large concentration of people, history of viral outbreaks and the inexplicable refusal of some countries not to comply with pleas for cooperation by international health experts. This refusal is a threat to the world's safety and cannot be ignored.

For its part, Taiwan has done an excellent job assisting and preparing for a future health emergency. Its medical system has been described as "robust, solidly established and well resourced" and it participates in disease prevention efforts in other countries throughout the world. Now that Taiwan has a role at the WHA, it can partner with world health leaders to generate support from some of the recalcitrant countries that have ignored the WHA in the past.

Taiwan's ascension into the WHA is well deserved and should be recognized by the United States. Having a cohesive and efficient international health monitoring and response system is in everyone's interest. Ultimately, the American people, who are deeply invested in the international health community, will benefit from Taiwan's success.

HONORING THE JORDAN FAMILY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to honor the lives of Hanabul "Bud" Jordan, Lowel Jordan and the generosity of Dee Jordan for their tremendous support of the College of Agricultural Sciences and Technology at California State University, Fresno and furthermore the support of agriculture in the Central Valley. The Jordan's will be honored at California State University, Fresno on Thursday, May 14, 2009 when the university will rename the agricultural college to the "Jordan College of Agricultural Sciences and Technology."

The Jordan family is from the East Bay area, where Bud owned and operated a construction business headquartered in Hayward, California. Lowell lived on the family ranch in the near-by city of Dublin, where he tended the family's cattle. Bud passed away at the age of eighty-two on April 29, 2002; his brother Lowell passed away at the age of eighty-one in July 2005 and Bud's wife Dee continues to live in Hayward. The Jordan family became involved with CSU Fresno's College of Agricultural Sciences and Technology (CAST) through the Ag One Foundation in November 1995.

Bob Glim, professor emeritus of agricultural economics and an advisor to the Ag One board, worked at CSU Fresno from 1948 to 1978. He and his wife first met Mr. and Mrs. Jordan at a GMC motor home rally. Mr. Glim organized a rally get-together to speak about CSU Fresno's agricultural program, Ag One and to share CSU Fresno's farm grown products. The Jordan's immediately began supporting the program by providing scholarships for agricultural students; although they had never visited the campus. Their initial gift was $20,000 to Ag One. This gift along with subsequent gifts, fund the Ag One-Lowell A. Jordan and Jordan Family Endowment. Over the years, the Jordan family has contributed $130,000 to the endowment, supporting six to seven students each year with $1,000 scholarships.

Since the 1995 gift, Ag One and CAST have maintained a great relationship with the Jordan's, including representatives traveling to Hayward to visit the family and bring them news from the school regarding the students, campus and products. Since Mr. Jordan passed away, Mrs. Jordan has visited the

campus numerous times to meet with Jordan scholars, tour the campus agriculture facilities and to attend Ag One and athletic events. With the generosity of the family over the past fourteen years the most recent gift has exceeded all expectations. Earlier this year, the Jordan family sold their Dublin farm and gave $29 million to CAST; the largest single cash gift in the entire California State University system.

This tremendous gift will be used for research and facilities for CAST. In great appreciation of this gift CSU Fresno will build upon the Jordan family legacy by renaming CAST to the Jordan College of Agricultural Sciences and Technology.

Madam Speaker, I rise today to honor the Jordan family for the remarkable impact that they have had on agriculture for CSU Fresno, the Central Valley and the State of California through their multiple gifts. I invite my colleagues to join me in honoring the Jordan family.

CONGRATULATING THE UNIVERSITY OF ARKANSAS FORT SMITH RIFLE TEAM

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. BOOZMAN. Madam Speaker, I rise to congratulate the Lion Rifles Team from the University of Arkansas Fort Smith for its well deserved rank as the fifth-best collegiate team in the country in the National Rifle Association's Intercollegiate International Air Rifle standings.

For the past two years the UA Fort Smith Air Rifle Team has proven itself by placing in the top five teams in the nation. A small school like UAFS can be proud to see its team ranked among major universities like Penn State, Clemson, Illinois State and Michigan State. This team provides a great opportunity for many college students to become well-rounded. These students serve as good examples for others, as they accomplish their academic goals while achieving success on the rifle range. These members should be proud of the reward they experience from their hard work.

Members of the team who deserve credit for this high ranking are Elizabeth Garris, Tom Nguyen, J.D. Peronia, Morgan Welch and John Wozniak. These sharp shooters are led by Roy Hill, who works hard to equip each individual to succeed. I congratulate each member of the University of Arkansas-Fort Smith Air Rifle Team on their success and wish them the best of luck in future competitions.

BERG'S TRUE VALUE'S 75TH ANNIVERSARY

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. SMITH of Nebraska. Madam Speaker, throughout the month of May, the city of Bridgeport has been celebrating the 75th anniversary of a family business which is more of an institution than a store.

I want to thank Jack and Dee Berg for their commitment and their dedication to their community. They should serve as an inspiration for us all.

This remarkable achievement has spanned two generations of Bergs and thirteen presidents. The family business—first a Gamble's Department Store before becoming Berg's True Value—served Bridgeport through two World Wars, good economic times and bad, and has strengthened western Nebraska for decades.

The store remains in its original location, but has grown from 1,000 to 10,500 square feet. As it grew, it changed with the times—stocking everything from clothing to furniture.

It is still the best place to get Husker gear.

I want to congratulate the Bergs as they continue to their anniversary celebration. May they find continued success in the years to come.

GAO STUDY OF CIVIL AIR PATROL IN HOMELAND SECURITY MISSIONS

SPEECH OF

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 12, 2009

Mr. GINGREY of Georgia. Madam Speaker, I rise today to express my support for H.R. 1178, legislation that would direct the Comptroller General to conduct a study on the use of Civil Air Patrol personnel to support homeland security missions.

Since its inception in 1941, the Civil Air Patrol has been vital in emergency services and disaster relief operations across the United States. As the official civilian auxiliary to the United States Air Force, the Civil Air Patrol contains over 56,000 of America's finest volunteers and owns several thousand aircraft and vehicles to complete its missions.

Furthermore, the Civil Air Patrol has provided the nation's youth and general public with aerospace education and created numerous cadet programs for young people ages 12–18. These cadet programs help supply the necessary skills and resources for our nation's future leaders. Two such leaders, Barry and Christiana Loudermilk, reside in the 11th District of Georgia, which it has been an honor and privilege to represent for the last six years in this great body.

Despite a very busy and demanding career as both a State Legislator and a businessman, Barry Loudermilk is an active officer in the Rome Civil Air Patrol Squadron. He also serves as the Squadron Commander of the Georgia Civil Air Patrol Legislative Squadron and is a Government Affairs Officer for the Georgia Wing Civil Air Patrol. Additionally, Barry has been active in his community as a Volunteer Search and Rescue Ground Team Leader and a Volunteer Search and Rescue Pilot.

His daughter, Christiana, has distinguished herself as a leader throughout her career in the Civil Air Patrol. Christiana holds the rank of Cadet Captain and is a certified ground search and rescue specialist. She served as the Cadet Commander of the Rome Composite Squadron and attended the 2007 Cadet Officers School at Maxwell Air Force Base. For her tireless efforts, Christiana has received the Georgia Air Wing Commander's ''Coin of Excellence,'' and was awarded the Civil Air Patrol's ''Community Service Award'' for her volunteer works in a local hospital.

In 2008, Christiana served as the Alpha Flight Commander at the Georgia Wing encampment and her flight was named the encampment's ''Honor Flight.'' In addition to serving as Alpha Flight Commander, she was selected to attend the ''Specialized Undergraduate Pilot Training Course'' at Columbus Air Force Base in Columbus, Mississippi. I want to publicly thank Christiana for her service and thank the Civil Air Patrol for providing this type of quality leadership training to our young people.

Madam Speaker, it is my firm belief that the Civil Air Patrol will provide an extraordinary addition to the Department of Homeland Security (DHS) if the Comptroller General finds it worthwhile for such an endeavor. The Civil Air Patrol has displayed volunteer leadership for over 60 years in working with the United States Air Force, and it is a leader for developing our nation's youth. I applaud both Barry and Christiana Loudermilk for their accomplishments in this organization, and I support expanding the mission of the Civil Air Patrol so that they can assist DHS in defending the United States. We must use every resource necessary to keep America safe, and I am positive that the Civil Air Patrol will add to and continue the remarkable job our military has provided in defending our nation at home and abroad.

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

SPEECH OF

HON. ANN KIRKPATRICK

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes:

Mrs. KIRKPATRICK of Arizona. Mr. Chair, I want to thank Chairman Miller for adopting my amendment in his Manager's amendment to the 21st Century Green High-Performing Public School Facilities Act. My proposal will double the funding available to improve tribal and outlying school infrastructure.

With this bill, we recognize that our children need a modern, well-maintained learning environment to get the education it takes to compete in the global economy. We have allowed far too many of the schools that serve our Native American communities to fall short of that standard, and this is a great opportunity to get them on the right track.

My mother was a schoolteacher on tribal lands in eastern Arizona and my district is home to 11 tribes, so I have seen firsthand the challenges Indian Country's schools face. Less than half of Native American students graduate high school, and less than 14 percent get the college degree that is becoming more and more important to getting jobs in the

21st century. One in four Native Americans live in poverty, and our failure to provide educational resources they need is a major reason why.

We have been doing less and less for tribal education in recent years, letting funding for repairs and modernization decrease dramatically. As a result, there is a huge backlog of tribal schools and facilities that require major repairs or complete replacement. As long as we continue to allow funding levels for tribal school construction to fall, that number will keep growing.

It's time for us to do more, and this amendment is a great step in the right direction. By doubling the funding available for improving tribal school facilities, we will be putting our resources where they are needed most and can do the most good. This funding will go a long way towards addressing basic needs in my district and at schools across the Nation, helping ensure that kids living on tribal lands have the same opportunities as every other child in the country. I urge my colleagues to support it.

CELEBRATION OF JONESBORO GEORGIA'S 150TH BIRTHDAY

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. SCOTT of Georgia. Madam Speaker, I rise today to congratulate the historic city of Jonesboro, Georgia on the occasion of its 150th anniversary.

Officially founded as a town in 1859, Jonesboro existed as a small rural community until the rise of industrialization during the mid-19th century. Named after Colonel Samuel Goode Jones, an engineer who organized the construction of the first paved roads in town, Jonesboro continued to prosper until the outbreak of the Civil War in 1861.

The legendary Battle of Jonesboro will always be remembered by our nation as one of the more significant milestones of the American Civil War. Because of the defeat of Confederate troops at the Battle of Jonesboro, General Sherman's army was successful in occupying the city of Atlanta, an event which directly contributed to the surrendering of the Confederate army in 1865. Following the end of the Civil War, Jonesboro began an arduous and trying period of reconstruction, along with the rest of the American South.

The town of Jonesboro persevered through these numerous challenges and is known today for its extraordinary commitment to regrowth. Furthermore, the publication of Margaret Mitchell's internationally renowned novel, Gone with the Wind, has forever sealed this beautiful town and its remarkable past into our nation's cultural cannon.

Madam Speaker, I am honored to represent such a remarkable city, a city which has played such an integral role in the history of the United States. I congratulate Jonesboro on this date, the 150th anniversary of its town's formation, and grant my sincerest wishes for its prosperity and success in the years to come.

COMMEMORATING THE 57TH ANNUAL NATIONAL PRAYER BREAKFAST, FEBRUARY 5TH, 2009

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. SHULER. Madam Speaker, I had the privilege of co-chairing the 57th Annual National Prayer Breakfast with my colleague, Congressman VERN EHLERS of Michigan, on February 5, 2009. This annual gathering is held here in our Nation's Capital and is hosted by Members of the U.S. Senate and the U.S. House of Representatives weekly prayer breakfast groups. Every president since Dwight Eisenhower has spoken at the National Prayer Breakfast. This year, we were honored to have the participation of our President and the First Lady. President Obama continued the longstanding tradition of addressing the Breakfast. We were encouraged and inspired by his words as well as the remarks shared by the Right Honorable Tony Blair.

This year we hosted a gathering of over 4,000 individuals from all 50 States and from 182 countries around the world. So that all may benefit from the prayerful message relayed at the National Prayer Breakfast, I would like to request that a copy of the transcript of the 2009 proceedings be printed in the CONGRESSIONAL RECORD at this time.

57TH NATIONAL PRAYER BREAKFAST—THURSDAY, FEBRUARY 5, 2009, HILTON WASHINGTON HOTEL, WASHINGTON, DC

CO-CHAIRS: U.S. REPRESENTATIVE VERN EHLERS AND U.S. REPRESENTATIVE HEATH SHULER

Congressman VERNON EHLERS: Good morning. Welcome to the National Prayer Breakfast.

Congressman HEATH SHULER: I am honored to introduce a great leader from North Carolina. Michell Hicks is the Principal Chief of the Eastern Band of Cherokees. He was elected to the position in 2003 and re-elected in 2007. He and his wife Marsha have five children. Chief Hicks is joined by Amanda Wolfe, who has won the honor of being Miss Cherokee. They will now offer our pre-breakfast prayer, the Lord's Prayer in English and Cherokee. Chief Hicks.

Chief MICHELL HICKS: It is an honor to be here this morning. I want to thank the Congressmen for the invitation and, most importantly, to thank the Lord for blessing each one of us today.

Miss CHEROKEE: ''Our Father which art in Heaven, hallowed be thy name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the Kingdom and the power and the glory forever and ever. Amen.''

Chief HICKS: (translates the Lord's Prayer in Cherokee)

Congressman SHULER: I would like to introduce our special guests that we have here this morning. Most of the folks at the head table will be introduced in their place in the program, but we would like to introduce the others as well—Mrs. Anita Skelton, daughter-in-law of the Congressman; Joanna Ehlers, the spouse of my co-chair; my wife, Nicole; and the First Lady of the United States, Michelle Obama.

Congressman EHLERS: I have the pleasure of introducing several heads of state and heads of government who have traveled to Washington to participate in this important event. I would ask you to join me in welcoming:

President Rene Garcia Preval of Haiti

President Gloria Arroyo of the Philippines

Prime Minister Sali Berisha of Albania

Prime Minister Nikola Gruevski of Macedonia

Prime Minister Navinchandra Ramgoolam of Mauritius

We cannot recognize all of the foreign dignitaries without recognizing our own Vice President Biden.

It is a pleasure to have all of you here. In addition to those I have introduced, we also have former heads of government, vice presidents, and first ladies from the nations of Bulgaria, the Democratic Republic of Congo, the Dominican Republic, the Fiji Islands, Indonesia, Kenya, Mozambique, Pakistan, Senegal, and Tanzania. You all are most welcome. We are honored by your presence. Thank you all for being here.

Let me just say a bit about our weekly prayer breakfast—just so you know where we are coming from. Every Thursday morning from eight to nine o'clock, a group of us get together for prayer and singing. As we are singing hymns, echoing through the corridors of the Capitol, and then engaging in prayer, it always strikes me: ''This is wonderful, right here in the capital of the United States, we are having this wonderful ceremony together, this event where we are recognizing God's place in our lives.'' Every week when we kick it off, the first words are ''welcome to the best hour of the week.'' That is the way we feel about it. We are glad to welcome you to the best hour of the year, right here in this room.

Congressman SHULER: On Thursday mornings, it is very special that we have members of Congress, both Democrats and Republicans, who check their political parties at the door when they attend our breakfast. We are there to be united, to fellowship, to worship, to sing and to praise together. Many times we laugh together, we hear funny stories, and we cry together about the times that we miss our families and when we struggle. It is our members of Congress reaching out to one another and in prayer. We cherish those moments together. Each week we actually sing a hymn. The singing is not very good, I might add. It is very special that we have every state as well as 182 nations represented here today. We get to hear some wonderful singing and wonderful worship on this great day. I would like to introduce to you professional musicians to take the members of Congress's place. I think God really appreciates that. Our musical guests this morning are Casting Crowns, led by Mark Hall.

CASTING CROWNS: [sing] ''Oh, what I would do to have the kind of faith it takes to climb out of this boat; I'm in onto the crashing waves. Just step out of my comfort zone to the realm of being known where Jesus is and is holding out his hand, but the waves are calling out my name and they laugh at me, reminding me of all the times I've tried before and failed. The waves, they keep on telling me time and time again boy you'll never win, you'll never win but the voice of truth, it tells me a different story. The voice of truth says do not be afraid, and the voice of truth said this is for my glory out of all the voices calling out to me I would choose to listen and believe the voice of truth.

And oh what I would do to have the kind of strength it takes to stand before a giant with just a sling and a stone. Surrounded by the sound of a thousand warriors shaking in their armor, wishing they'd of had the strength to stand, but the giant's calling out my name and he laughs at me, reminding me of all the times I've tried before and failed, the giant keeps on telling me time and time

again boy, you'll never win (never win), you'll never win but the voice of truth tells me a different story, the voice of truth says ''do not be afraid'' and the voice of truth says ''this is for my glory.'' Out of all the voices calling out to me I would choose to listen and believe the voice of truth. The stone was just the right size to put the giant on the ground and the waves, they don't seem so high on top of them looking down and I soar with the wings of eagles if I'd stop and listen to the sound of Jesus singing over me and the voice of truth tells me a different story, the voice of truth says ''do not be afraid,'' and the voice of truth said ''this is for my glory,'' out of all the voices calling out to me I would choose to listen and believe, I would choose to listen and believe, voice of truth, and I, I will listen and believe because Jesus you are the voice of truth.''

Congressman EHLERS: Any Thursday morning that you are free, you are welcome to come to our weekly prayer breakfast. It is now my pleasure to introduce Congresswoman Jo Ann Emerson of Missouri to present a reading from the Holy Scriptures.

Congresswoman JO ANN EMERSON: Many of you all know that in Genesis 33 we find the reunion of Jacob and Esau. As a young man, Jacob had swindled the inheritance away from his twin brother Esau by tricking their blind father Isaac. After that treachery, Jacob flees for fear of Esau's reprisal. Jacob toils away in a faraway land and builds up for himself great wealth. However, God leads Jacob back to the land of his birth to fulfill the covenant God had with Abraham. Jacob is so afraid of Esau that he divides his people so that some may survive the coming battle. I will read to you now from Genesis chapter 33, verses 1–12:

And Jacob lifted up his eyes and looked and behold Esau was coming and four hundred men with him, so he divided the children among Leah and Rachel and the two female servants, and he put the servants with their children in front, then Leah with her children and Rachel and Joseph last of all. He himself went on before them bowing himself to the ground seven times until he came nearer to his brother. But Esau ran to meet him and embraced him and fell on his neck and kissed him and they wept. And when Esau lifted up his eyes and saw the women and children, he said ''who are these with you?'' Jacob said ''the children whom God has graciously given your servant.'' Then the servants drew near, they and their children, and bowed down. Leah likewise and her children drew near and bowed down, and last, Joseph and Rachel drew near and they bowed down. Esau said ''what do you mean by all this company that I met?'' Jacob answered, ''to find favor in the sight of my Lord.'' But Esau said, ''I have enough my brother, keep what you have for yourself.'' Jacob said, ''No, please, if I have found favor in your sight, then accept my present from my hand, for I have seen your face which is like seeing the face of God and you have accepted me. Please accept my blessing that is brought to you because God has dealt graciously with me and because I have enough.'' Thus he urged him and he took it, then Esau said ''let us journey on our way and I will go ahead of you.''

Congressman EHLERS: To present a prayer for national leaders I call to the platform one of the pillars of our House breakfast for many years, Congressman Ike Skelton.

Congressman IKE SKELTON: Whenever we pray, we should keep in mind the words of the British Poet Alfred Lord Tennyson who wrote: ''more things are wrought by prayer than this world dreams of.'' May we pray?

God Almighty and the Father of us all—as is stated in the Constitution of this great country: ''we have common purpose as the people of the United States, that we are to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty for ourselves and our posterity.'' Throughout our history, Lord, you have granted us leaders in national government, in industry, commerce, science, education and religion to serve this common purpose—for this we thank you. In our own day, we pray for our President Barack Obama and his wife Michelle, Vice President Joe Biden and his wife, Jill. We also pray for the members of the Congress, our leaders, Speaker Nancy Pelosi and the other leaders in the Congress, the Supreme Court, our cabinet members, our military leaders, and all government leaders in the states and the local communities. Help them to fulfill their sacred pledge and perform their duties with wisdom and compassion. May they seek your guidance by prayer, the support of the citizenry by listening to genuine needs, and witness to your strong arm behind everything. May leaders in business and economics be blessed with personal integrity and professional collaboration. Lord, bless our nation's leaders in religion and education so that they provide a powerful vision for your people. Instill in them common hopes and greater understanding of themselves and others—together, creating imaginations will establish a common ground to plant seeds for the future. In our families, Lord, raise up new leadership for our nation, may parents prove to be good role models by their faithfulness, self discipline, and basic moral standards. Help them to encourage young people to have great expectations and to accomplish great deeds. Especially, we pray today for those families who are involved in military service. Protect them, sustain them until they return safely and together with them we live in peace. In you, oh Lord, we find the power to live our constitutional convictions and in you we place our trust, calling upon your Holy Name, now and forever. Amen.

Senator JOHNNY ISAKSON: Good morning. I am Johnny Isakson from Georgia, and I am honored to Co-Chair the Senate prayer breakfast.

Senator AMY KLOBUCHAR: I am Amy Klobuchar from Minnesota, the other Co-Chair. On behalf of the United States Senate, we would like to welcome you today.

When Johnny and I took over the Senate prayer breakfast this year, we inherited some changes. There was a new Senate food service manager and she tripled the price of the breakfast. More importantly, they took the grits off the menu which did not sit well with Johnny or any of the other Southerners. Picture this, here I am, the first woman to do this, a Northern Senator, and the grits disappear from the menu and the price triples. This is a true crisis in leadership. So we asked for some divine intervention. After some tough negotiations, the price came down and, as if by a miracle, the grits returned to the menu.

Senator ISAKSON: Mr. President, if a Minnesota Yankee can save grits for a Southern Republican, there is hope for bipartisanship.

We gather together every Wednesday, not as Republicans or as Democratic members of the Senate, but as Americans with a deep and abiding faith in God and the hope for the future of our country, and the hope for the future of our world. As we do so, we gather not seeking what we do not have in common, but relishing that which we do have in common—a deep and abiding faith in Our Lord, and a great appreciation for our great country, the United States of America.

Senator KLOBUCHAR: Our Senate prayer breakfast is truly a special occasion. It is a chance for us to share and to build friendships which might not otherwise be possible. This is especially important for all of us. The daily pressures of our work can way too often limit our horizons and narrow our circle of friends. These same pressures also make it all too easy for us to lose our way. Through prayer we can find our moral compass that will guide us back and lead us forward. And through prayer we are also humbled—that is important since modesty too often appears to be one of the first casualties of a life in Washington. As a new Senator, I found the prayer breakfast to be a respite from the day to day quarrels and strategic maneuvering of Washington. I have actually gotten to like grits and meet some new friends like Johnny.

Senator ISAKSON: Our Founding Fathers created this nation as one nation under God and we know that we are also one world under God. As we gather and pray together, we pray for the strength of our country, knowing that just as the breakfast we have enjoyed sustains our bodies, the faith we share in common with our God sustains our soul.

Congressman SHULER: As was mentioned earlier, the House and the Senate alternates chairing the National Prayer Breakfast, with his year's Prayer Breakfast being run by the House. We call on all of our colleagues and ask them to participate for various roles in the program. When we first put the program together, our next presenter was a member of the U.S. House. Since then, she has gotten herself into a new job in the Senate—but we still claim her as one of us. To present a reading from the Holy Scripture, I am happy to introduce my friend and the new Senator from New York, Kirsten Gillibrand.

Senator KIRSTEN GILLIBRAND: It is an honor to be among so many faithful. I would like to offer a reading from Matthew, chapter 5, verses 14–16.

''You are the light of the world, a city on a hill cannot be hidden, neither do people light a lamp and put it under a bowl. Instead they put it on its stand and it gives light to everyone in the house. In the same way let your light shine before men that they may see your good deeds and praise your Father in Heaven.'' Heath asked me to reflect on what this scripture meant to me. I thought about this passage and the parable of the talents. I believe that as God has blessed me with certain skills and talents, as New York's newest Senator, I offer them up for public service, with much gratitude and humility in my heart. May each deed from my hands and each word from my lips reflect God's light and his love for the world.

Congressman SHULER: It is now my pleasure to introduce Congressman Todd Akin of Missouri, who will present a prayer for world leaders.

COMMEMORATING THE 57TH ANNUAL NATIONAL PRAYER BREAKFAST, FEBRUARY 5TH, 2009

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. EHLERS. Madam Speaker, I had the privilege of co-chairing the 57th Annual National Prayer Breakfast with colleague, Congressman HEATH SHULER of North Carolina, on February 5, 2009. This annual gathering is held here in our Nation's Capital and is hosted by Members of the U.S. Senate and the U.S. House of Representatives weekly prayer breakfast groups. I would like to request that

the continuation of the transcript of the 2009 proceedings be printed in the CONGRESSIONAL RECORD at this time.

57TH NATIONAL PRAYER BREAKFAST—THURSDAY, FEBRUARY 5, 2009, HILTON WASHINGTON HOTEL, WASHINGTON, DC

CO-CHAIRS: U.S. REPRESENTATIVE VERN EHLERS AND U.S. REPRESENTATIVE HEATH SHULER

Congressman TODD AKIN: More than a hundred years ago there was a great statesman in England by the name of William Wilberforce. Some of you may have seen the movie ''Amazing Grace''—the story of his life. He had two great aims as he worked in British government. The first was the abolition of slavery—which he was able to see just about on his death bed. The second was one that is not as well known—and that was to spread civility. I guess that means we are being civil with each other. One of the reasons that I have been involved in the Members' prayer breakfast is because it is a force for helping people to be civil and decent to each other—whereas many other things in politics seem to go the other direction.

Please join me in a prayer for our guests here. Dear Lord, we approach you today with thankful hearts for your great kindness and love and mercy, which immeasurably exceeds any merit of our own. We thank you for our guests, here assembled, guests who join us from the leadership of nations around the world. We ask your blessing once again on each of us, on our deliberations, and on the people that we serve. Dear Father, forgive us our increasing pride, for vainly considering that we can govern without your superintending providence. Our first President George Washington said, ''it is impossible to govern rightly without God and the Bible.'' Help us once again to acknowledge our dependence upon you and to seek your aid through all of our days. Lord, you inspired our founders to acknowledge the fact that you have bestowed certain inalienable rights to all men—that among these are: life and liberty and the pursuit of happiness. Forgive us dear Father for ways in which each of us have fallen short in our most fundamental duty in preserving the precious gifts that you grant to all your children. Please, dear Father, batter down the pride of our stubborn hearts with a battering ram of your tender love. Lord Jesus, in a quiet place, come along side each of us, confront us, forgive us, wrap your arms around us and plant your truth deep within us that our lives will bless our families, our constituents and above all be pleasant in your sight. I pray in Jesus' name, Amen.

Congressman EHLERS: One of the most difficult tasks that we have in arranging these Prayer Breakfasts is finding a speaker who is suitable to address such a large audience and to do it in meaningful terms that will relate to each and every one of you. We talked long and hard about different speakers and who we could get. Finally, we settled on someone we were hopeful we could get and now we are delighted that he is here with us today.

I first met our speaker at a NATO conference some years ago when I was a delegate from the United States Congress to meet with a NATO Parliamentary Assembly in Scotland. One of the speakers at the conference was a young man by the name of Tony Blair. He was erudite, eloquent, thoughtful, gave a great speech, and I thought, ''this is a young man who could go places some day.'' Thank you for fulfilling that prophecy. I was deeply touched by his spirit and his passion as I am sure we all will be today. Speaking as an American, I deeply appreciate his friendship and support for our country and our efforts to extend freedom around the world.

Tony Blair was Prime Minister of the United Kingdom for 10 years. He described his approach once as governing from the radical center, which is something I believe our nation could well imitate. Since stepping down in 2007, he has been involved in three challenges. He currently serves as the Quartet Representative to the Middle East, representing the United Nations, the European Union, the United States and the Russian Federation. He has been involved in youth sports in an effort to combat youth obesity—and we need you in our country for that too, Tony. And he created the Tony Blair Faith Foundation with the aim to show how faith is a powerful force for good in the modern world. He is one of the great moral leaders on the planet. Ladies and gentlemen, join me in welcoming the Right Honorable Tony Blair.

Tony Blair: It is an honor to be here and a particular honor to be with you, Mr. President. The world participated in the celebration of your election. Now the hard work begins. And now, also, we should be as steadfast for you in the hard work as in the celebration. You don't need cheerleaders but partners; not spectators, but supporters. The truest friends are those still around when the going is toughest. We offer you our friendship today. We will work with you to make your presidency one that shapes our destiny to the credit of America and of the world. Mr. President, we salute you and we wish you well.

After 10 years as British Prime Minister, I decided to choose something easy. I became involved in the Middle East Peace process. There are many frustrations—that is evident. There is also one blessing. I spend much of my time in the Holy Land and in the Holy City. The other evening I climbed to the top of Notre Dame in Jerusalem. You look left and see the Garden of Gethsemane. You look right and see where the Last Supper was held. Straight ahead lies Golgotha. In the distance is where King David was crowned and still further where Abraham was laid to rest. And in the center of Jerusalem is the Al-Aqsa Mosque, where according to the Qu'ran, the prophet was transported to commune with the prophets of the past. Rich in conflict, it is sublime also in history. The other month in Jericho, I visited the Mount of Temptation—I think they bring all the political leaders there. My guide—a Palestinian—was bemoaning the travails of his nation. Suddenly he stopped, he looked heavenwards and said ''Moses, Jesus, Mohammed, why did they all have to come here?'' It is a good place to reflect on religion: a source of so much inspiration; an excuse for so much evil. Today, religion is under attack from without and from within. From within, it is corroded by extremists who use their faith as a means of excluding the other: ''I am what I am in opposition to you; if you do not believe as I believe, you are a lesser human being.'' From without, religious faith is assailed by an increasingly aggressive secularism, which derides faith as contrary to reason and defines faith by conflict. Thus do the extreme believers and the aggressive non-believers come together in unholy alliance. And yet, faith will not be so easily cast. For billions of people, faith motivates, galvanizes, compels and inspires, not to exclude but to embrace; not to provoke conflict but to try to do good. This is faith in action. You can see it in countless local communities where those from churches, mosques, synagogues and temples tend the sick, care for the afflicted, work long hours in bad conditions to bring hope to the despairing and salvation to the lost. You can see it in the arousing of the world's conscience to the plight of Africa. There are a million good deeds done every day by people of faith. These are those for whom, in the parable of the sower, the seed fell on good soil and yielded sixty or a hundred-fold. What inspires such people? Ritual or doctrine or the finer points of theology? No. I remember my first spiritual awakening. I was 10 years old. That day my father—at the young age of 40—had suffered a serious stroke. His life hung in the balance. My mother, to keep some sense of normality in the crisis, sent me to school. My teacher knelt and prayed with me. Now my father was, and is, a militant atheist. Before we prayed, I thought I should confess this. ''I am afraid my father doesn't believe in God,'' I said. ''That doesn't matter,'' my teacher replied, ''God believes in him; He loves him without demanding or needing love in return.''

Tony Blair, Continued: That is what inspires. The unconditional nature of God's love. A promise perpetually kept. A covenant never broken. And in surrendering to God, we become instruments of that love. Rabbi Hillel was once challenged by a pagan, who said: ''if you can recite the whole of the Torah standing on one leg, I will convert to being a Jew.'' Rabi Hillel stood on one leg and said, ''That which is hateful to you, do it not unto your neighbor. That is the Torah, everything else is commentary, go and study it.'' As the Qu'ran states: ''if anyone saves a person, it will be as if he has saved the whole of humanity.'' Faith is not discovered in acting according to ritual, but acting according to God's will and God's will is love. We might also talk of the Hindu: ''living beyond the reach of I and mine,'' or the words of the Buddha: ''after practicing enlightenment, you must go back to practice compassion,'' or the Sikh scripture: ''God's bounties are common to all; it is we who have created divisions.''

Each faith has its' beliefs. Each is different. Yet at a certain point each is in communion with the other. Examine the impact of globalization. Forget for a moment its' rights and wrongs. Just look at its' effects. Its' characteristic is that it pushes the world together. It is not only an economic force. The consequence is social, even cultural. The global community—it takes a village, as someone once coined it—is upon us. Into it steps religious faith. If faith becomes the property of extremists, it will originate discord. But if by contrast, different faiths can reach out to, and have knowledge of, one another, then instead of being reactionary, religious faith can be a force for progress.

The foundation which bears my name, and which I began less than a year ago, is dedicated to achieving understanding, action and reconciliation between the different faiths for the common good. It is not about the faith that looks inward, but the faith that resolutely turns us towards each other. Bringing the faith communities together fulfills an objective important to all of us, believers and non believers. But for me, as someone of faith, this is not enough. I believe restoring religious faith to its rightful place, as the guide to our world and its' future, is itself of the essence. The 21st century will be poorer in spirit, meaner in ambition, less disciplined in conscience, if it is not under the guardianship of faith in God.

I do not mean by this to blur the correct distinction between the realms of religious and political authority. In Britain we are especially mindful of this. I recall giving an address to the country at a time of crisis. I wanted to end my words with ''God bless the British people.'' This caused complete consternation. Emergency meetings were convened. The system was aghast. Finally, as I sat trying to defend my words, a senior civil servant said, with utter disdain: ''Really, Prime Minister, this is not America you know.''

Neither do I decry the work of humanists, who give gladly of themselves for others and

who can often shame the avowedly religious. Those who do God's work are God's people. I only say that there are limits to humanism, and beyond those limits, God and only God can work. The phrase ''fear of God'' conjures up the vengeful God of parts of the Old Testament. But fear of God means really obedience to God: humility before God; acceptance through God that there is something bigger, better, and more important than you. It is that humbling of man's vanity, that stirring of conscience through God's prompting, that recognition of our limitations, that faith alone can bestow. We can perform acts of mercy, but only God can lend them true dignity. We can forgive but only God forgives completely in the full knowledge of our sin. And only through God comes grace; and it is God's grace that is unique. John Newton, who had been that most obnoxious of things, a slave trader, he it was who wrote the hymn, ''Amazing Grace'' —''Twas grace that taught my heart to fear, and grace my fears relieved.'' It is through faith, by the grace of God, that we have the courage to live as we should and die as we must.

When I was Prime Minister I had cause often to reflect on leadership. Courage in leadership is not simply about having the nerve to take difficult decisions or even in doing the right thing -since oftentimes God alone knows what the right thing is. It is to be in our natural state—which is one of nagging doubt in perfect knowledge, an uncertain prediction—and to be prepared nonetheless to put on the mantle of responsibility and to stand up in full view of the world, to step out when others step back, to assume the loneliness of the final decision-maker, not sure of success but unsure of it. It is in that ''not knowing'' that the courage lies. When in that state our courage fails, our faith can support it, lift it up, and keep it from stumbling.

As you begin your leadership with this great country, Mr. President, you are fortunate, as is your nation, that you have already shown in your life courage in abundance. But should it ever be tested, I hope your faith can sustain you, and your family. The public eye is not always the most congenial. I was reminded of this, as I waited in London in the snow to fly to America and made the mistake of reading a British newspaper. It was the very conservative Daily Telegraph. A few days ago I gave an interview in which I remarked how much cleverer my wife was than me. The Telegraph has a famous letters page. In it was a letter from a correspondent that read something like, ''Dear sir, with reference to your headline, 'Blair admits wife more intelligent than him,' I fail to see why this is news. Most of us have known this for a long time,'' and as a P.S. perhaps: ''the bar has not been set high.''

I finish where I began: in the Holy Land at Mount Nebo in Jordan, where Moses gazed on the Promise Land. There was a chapel there, built by pilgrims in the fourth century. The sermon that day was preached by an American, who spent his life as an airline pilot and then, after his wife's death, took holy orders. His words are the words of a Christian, but they speak to all those of faith, who want God's grace to guide their life. He said this:

''While here on earth, we need to make a vital decision . . . whether to be mere spectators or movers and shakers for the Kingdom of God . . . whether to stay among the curious, or take up a cross. And this means no standing on the sidelines—we are either in the game or we are not. I sometimes ask myself the question: 'If I were to die today, what would my life have stood for?'. . . The answer can't be an impulsive one, and we all need to count the cost before we give an answer. Because to be able to say yes to one thing means to say no to many others. But we must also remember that the greatest danger is not impulsiveness but inaction.''

It is fitting at this extraordinary moment in your country's history that we hear that call to action; and we pray that in acting we do God's work and follow God's will.

And by the way, God bless you all.

Congressman Shuler: Our next speaker, the 44th President of the United States has consistently made unity an important part of his ongoing message. His message of national and international unity is one that has given people around the world faith, hope, and the spirit to follow their dreams. I have met with numerous leaders who tell me that the citizens of their nations have a higher hope for the future because of the inspiration provided by this President.

My own children moved by the experience of the recent inauguration said to me, ''Daddy, let's pray for the President.'' Children, politicians, and everyday citizens around the world are showing their hope and faith, through their prayers for this President. Today we continue in an unbroken tradition of 57 years as we are joined by the First Family at the National Prayer Breakfast. Ladies and gentlemen, it is my great honor to introduce to you the President of the United States of America.

COMMEMORATING THE 57TH ANNUAL NATIONAL PRAYER BREAKFAST, FEBRUARY 5TH, 2009

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. AKIN. Madam Speaker, I had the privilege of participating in the 57th Annual National Prayer Breakfast with my colleagues, Congressman HEATH SHULER of North Carolina and Congressman VERN EHLERS of Michigan, on February 5, 2009. This annual gathering is held here in our Nation's Capital and is hosted by Members of the U.S. Senate and the U.S. House of Representatives weekly prayer breakfast groups. I would like to request that the summation of the transcript of the 2009 proceedings be printed in the CONGRESSIONAL RECORD at this time.

57TH NATIONAL PRAYER BREAKFAST—THURSDAY, FEBRUARY 5, 2009, HILTON WASHINGTON HOTEL, WASHINGTON, DC

CO-CHAIRS: U.S. REPRESENTATIVE VERN EHLERS AND U.S. REPRESENTATIVE HEATH SHULER

President Barack Obama: Good morning. I want to thank the co-chairs of this breakfast, Representatives Heath Shuler and Vernon Ehlers. I also want to thank my good friend Tony Blair for coming today, as well as our Vice President, Joe Biden, members of the cabinet, members of Congress, clergy, friends, and dignitaries from across the world.

Michelle and I are honored to join you in prayer this morning. I know this breakfast has a long history in Washington, and faith has always been a guiding force in our family's life, so we feel very much at home and look forward to keeping this tradition alive during our time here. It is a tradition that I am told actually began many years ago in the city of Seattle. It was at the height of the Great Depression, and most people found themselves out of work. Many fell into poverty and some lost everything. The leaders of the community did all that they could for those who were suffering in their midst. And then they decided to do something more—they prayed. It didn't matter what party or religious affiliation to which they belonged. They simply gathered one morning as brothers and sisters to share a meal and talk with God. These breakfasts soon sprouted up throughout Seattle and quickly spread to cities and towns across America, eventually making their way to Washington, DC. A short time after President Eisenhower asked a group of Senators if he could join their prayer breakfast, it became a national event. And today, as I see presidents, prime ministers and dignitaries here from every corner of the globe, it strikes me that this is one of the rare occasions that still brings much of the world together at a moment of peace and good will.

I raise this history because far too often we have seen faith wielded as a tool to divide us from one another—as an excuse for prejudice and intolerance. Wars have been waged, innocents had been slaughtered. For centuries entire religions have been persecuted, all in the name of perceived righteousness. There is no doubt that the very nature of faith means that some of our beliefs will never be the same. We read from different texts. We follow different edicts. We subscribe to different accounts of how we came to be here and where we are going next. And some subscribe to no faith at all. But no matter what we choose to believe, let us remember that there is no religion whose central tenet is hate. There is no God who condones taking the life of an innocent human being. This much we know. We know too that whatever our differences, there is one law that binds all great religions together. Jesus told us to ''love thy neighbor as thyself.'' The Torah commands, ''That which is hateful to you, do not do to your fellow.'' In Islam there is the hadith that reads, ''None of you truly believes until he wishes for his brother what he wishes for himself.'' And the same is true for Buddhists and Hindus, for followers of Confucius, and for humanists. It is, of course, the Golden Rule—the call to love one another, to understand one another, to treat with dignity and respect those with whom we share a brief moment on this Earth. It is an ancient rule, a simple rule, but also perhaps the most challenging. For it asks each of us to take some measure of responsibility for the well-being of people we may not know or worship with or agree with on every issue or on any issue. Sometimes it asks us to reconcile with bitter enemies or resolve ancient hatreds—and that requires a living, breathing act of faith. It requires us not only to believe but to do—to give something of ourselves for the benefit of others and the betterment of our world. In this way, the particular faith that motivates each of us can promote a greater good for all of us. Instead of driving us apart, our varied beliefs can bring us together to feed the hungry, clothe the naked, comfort the afflicted, to make peace where there is strife and rebuild what is broken, to lift up those who have fallen on hard times. This is not only our call as people of faith, but our duty as citizens of America, and our duty as citizens of the world, and it will be the purpose of the White House Office of Faith-based and Neighborhood Partnerships that I am announcing later today.

The goal of this office will not to be to favor one religious group over another—or even religious groups over secular groups, it will simply be to work on behalf of those organizations that want to work on behalf of our communities, and to do so without blurring the line that our founders wisely drew between church and state. This work is important, because whether it is a secular group advising families facing foreclosure or faith-based groups providing job training to

those who need work, few are closer to what is happening on our streets and in our neighborhoods than these organizations. People trust them, communities rely on them, and we will help them.

We will also reach out to leaders and scholars around the world to foster a more productive and peaceful dialogue on faith. I am not naïve. I don't expect divisions to disappear overnight, nor do I believe that the long-held views and conflicts will suddenly vanish. But I do believe that if we can talk to one another openly and honestly, and if perhaps we allow God's grace to enter into that space that lies between us, then the old rifts between us will start to mend, and new partnerships will begin to emerge. In a world that grows smaller by the day, perhaps we can begin to crowd out the destructive forces of excessive zealotry and make room for the healing power of understanding. This is my hope. This is my prayer. I believe this good is possible because my faith teaches me that all is possible, but I also believe because of what I have seen and what I have lived.

I was not raised in a particularly religious household. I had a father who was born a Muslim but became an atheist, grandparents who were non-practicing Methodists and Baptists, and a mother who was skeptical of organized religion—even though she was the kindest, most spiritual person I have ever known. She was the one who taught me as a child to love, and to understand, and to do unto others as I would want done. I didn't become a Christian until many years later when I moved to the South Side of Chicago after college. It happened not because of indoctrination or a sudden revelation but because I spent month after month working with church folks who simply wanted to help neighbors who were down on their luck, no matter what they looked like or where they came from or who they prayed to. It was on those streets, in those neighborhoods that I first heard God's spirit beckon me. It was there that I felt called to a higher purpose—His purpose. In different ways and in different forms, it is that spirit and sense of purpose that drew friends and neighbors to that first prayer breakfast in Seattle all those years ago, during another trying time for our nation. It is what led friends and neighbors from so many faiths and nations here today. We come to break bread and to give thanks, but most of all to seek guidance. And to rededicate ourselves to the mission of love and service that lies at the heart of all humanity. St. Augustine once said: ''Pray as though everything depends on God and work as though everything depends on you.''

So let us pray together on this February morning, but let us also work together in all the days and months ahead. For it is only through common struggle and common effort, as brothers and sisters, that we fulfill our highest purpose as beloved children of God. I ask that you join me in that effort and I also ask that you pray for myself, for Michelle, for my family and for the continued perfection of our nation. Thank you so much, God bless you. God bless the United States of America.

Congressman EHLERS. Thank you very much, Mr. President and Michelle, for being with us. This is an auspicious occasion. As I had said earlier, this prayer breakfast started with President Eisenhower and every year since then it has been graced by the presence of the President of the United States. It has been a real blessing to have the President and the First Lady here today.

Congressman SHULER: Welcome back Casting Crowns.

CASTING CROWNS: [sing] Who am I that the Lord of all the earth would care to know my name, would care to feel my hurt. Who am I that the bright and morning star would choose to light the way from my ever wandering heart but not because of who I am but because of what you've done and not because of what I've done but because of who you are and I am a flower quickly fading here today and gone tomorrow a wave tossed in the ocean, the vapor in the wind, still you hear me when I'm calling but you catch me when I'm falling and you told me who I am, I am yours.

Who am I that the eye that's seen the sin would look on me with love and watch me rise again. Who am I that the voice that calmed the sea would call out through the rain and calm the storm in me, not because of who I am but because of what you've done, not because of what I've done but because of who you are.

And I am a flower quickly fading, here today and gone tomorrow, a wave tossed in the ocean, a vapor in the wind, still you hear me when I'm calling, Lord you catch me when I'm falling and you told me who I am, I am yours.

Whom shall I fear, whom shall I fear, because I am yours.

Congressman EHLERS: Thank you again Casting Crowns for your words of faith and encouragement, we appreciate your participation today.

I hope that all of you have been uplifted and inspired by what you have seen up here—people of different parties, nations, races, generations and backgrounds coming together. As the Prime Minister and the President both said, faith can be a tremendous force for good in this modern world and we all need it—all the help we can get. It all begins with obeying the simple commands that Jesus talked about. Loving God with everything we have and loving our neighbors as ourselves. This is the first and great commandment. We in the Congress are trying to do that and I hope that you will commit to do that more and more in your daily lives. We ask that you will also join in prayer every single day and pray for us in the Congress and in other agencies of leadership around the world as we all try to serve God above all and to serve people and to keep them safe and secure in their lives.

Congressman SHULER: Now to close the event, I am honored to turn to a great American hero—from the age of 23 he was a national leader in the struggle for civil rights and for more than four decades he has been a shining star of justice. To present our closing prayer, the Honorable Congressman JOHN LEWIS of Georgia.

Congressman JOHN LEWIS: My beloved brothers and sisters, let us pray. Lord our God, this morning we stand before you as citizens of the world, as leaders of many great nations, and as humbled public servants, tasked with a powerful responsibility. Lord my God, your people are suffering in teeming cities and in the distant corners of the earth—too many of your children are hungry and naked, homeless and poor, too many are sick, too many forgotten, too many are locked in the struggles of war and suffering alone in silent despair. Lord, we stand before you today as a human family in need of your help. Please Lord, give us the faith to be still and know that you are God. Give us the faith to trust that you are with us at all times. Lord God, give us the power to see that your light shines brightest in times of the greatest need. Lord, give us a will to seek your divine understanding in every decision that we make. Thank you Lord for sending us a man, a leader and a President Barack Obama, we ask for a special blessing on his behalf. Guide his steps and please direct his path. Hold him and his family in the palm of your magnificent and all powerful hand. Let your angels watch over them, protect them and be their preferred and invisible God. Thank you Lord, thank you this morning for sending men and women who prepare to do thy will. Pour out your blessing upon us all. Give us the power to do what is right, what is fair and what is just. Please Lord show us how we can bring peace to a violent world. Let the day come when we can lay down the tools and instruments of war and study war no more. Lord, give us the will and the way to build and not destroy. Give us the capacity to be reconciled and not divide. Give us the strength to love and not to hate, that these gifts be made manifest in all that we do and in every way that we serve your people. We ask all these things in Thy divine name. This is our plea. This is our cry. This is our prayer. Amen.

Congressman EHLERS: Go in peace, love God. Serve God and your neighbor.

TRIBUTE FOR MR. CHARLES R. COUSINS

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. DEGETTE. Madam Speaker, I rise to honor the extraordinary life and exceptional accomplishments of Charles R. Cousins. Charles Cousins has been an important part of the Denver African-American business community. A remarkable citizen, he merits our recognition and esteem as his leadership, service and lifelong devotion to the city of Denver has done much to enrich our community. His license plate: ''IOU-00'' reflected this self-made success story.

Charles Cousins was born in Denver on New Year's Day, 1918, delivered by Justina Ford, the first African-American doctor in Colorado. The first son in a family of four daughters, he came to be called ''Brother'' by family and friends, a name that stuck throughout his entire life. His parents, Charles L. and Alta raised a family of six children in the Five Points neighborhood of Denver. As a youngster, Charles started a lifetime of hard work making deliveries on his bicycle for drug stores and dry cleaners and catching worms in the summertime to sell to anglers at City Park.

Charles Cousins began his business career while a student attending Manual High School in 1936. At Manual High, Charles found a way to provide music for the school dances of African American students that were segregated from those of white students. He did the same while a student at Colorado State University, beginning his long career in the jukebox industry.

When white-owned jukebox businesses tried to take over the restaurants and bars where his machines were located, Cousins purchased the buildings, beginning his successful career in real estate. He was a major investor in Denver rental properties and ultimately became a community philanthropist. He owned properties throughout the metro area, including more than 30 buildings in the Five Points area.

A lifetime jazz fan, Cousins is credited with being a key financial backer of the Five Points neighborhood's internationally-recognized jazz scene. Known as the ''Godfather of Jazz'' in Five Points, he made the famous Rossonian Hotel a must-stop venue for African American

musicians who were barred from other hotels because of racial discrimination.

Raised in the Five Points neighborhood of Denver, Cousins never had a desire to leave his beloved community. His many associations include the Five Points Media Center and the Five Points Business Association. Cousins willed the Simpson Hotel at 28th and Welton Street to the Five Points Business Association upon his death. The organization has plans to establish a work-development center and art gallery on the site.

Appointed in 1979 by Denver Mayor Bill McNichols, Cousins served on the Denver city zoning board for 23 years and served for 20 years as a member of the U.S. Olympic Organizing Committee.

Charles Cousins was also a great advocate of education. He was instrumental in the development of Cole Junior High School's extension program that provided alternative education to students who were not able to learn and achieve in a traditional school environment. He also funded many scholarships for college students. He was a fixture at Manual High School and was honored as the school's "Student of the Century" during their 100th anniversary celebration in 1994.

Charles was most proud of his civic work in the community and received numerous awards from various non-profit groups. He was a charter member of the Beta Theta Chapter of Kappa Alpha Psi Fraternity, Inc.

In 2003, Charles Cousins was honored with a plaza that bears his name at the new Blair-Caldwell African American Research Library in Five Points. He joined his longtime friends, former Tuskegee Airman and Denver Public Schools board member Omar Blair, and former Denver City Councilman Elvin Caldwell in the naming honors of the then newest branch of the Denver Public Library.

Charles Cousins is survived by five siblings and his wife of 53 years, Dorothy. His daughter, Dr. Renee Cousins, is a Denver pediatrician.

REMEMBERING THE LIFE AND WORK OF VIVIAN SMITH

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. DAVIS of Tennessee. Madam Speaker, it is one of my honors as a Member of Congress to pay tribute to the fine people that come along and care for our neighbors and assist our communities with their time, love, patience, sweat, financial tidings, and most importantly, compassion.

Vivian Smith, a daughter, sister, mother, grandmother and wife, served her neighbors in Scott County with that famous Tennessee volunteer spirit.

Vivian's resume of carrying for others is as long as it is distinguished. An eight year cancer survivor, Vivian served as Co-Chair of the Relay for Life and was a member of the Leadership Council and Support Group for the American Cancer Society of Scott County.

Serving the Sixth District Scott County School Board member, Vivian was also the first in the history of Scott County to obtain Level 5 Master status, awarded the National School Board Association's Recognition Award and served on the All Tennessee School Board. She also served on the Scott County Finance Committee, Scott County Fairest of the Fair, Tennessee Scholars advisory committee, Scott County Museum advisory council, Tennessee Technology Cosmetology advisory board, Appalachian Habitat for Humanity, Clinch-Powell Educational Cooperative, Housing Opportunities of People (HOPE), Salvation Army Scott County Unit, Scott County 4-H, Leadership Scott and Youth Leadership Scott and Leadership Upper Cumberland.

Having retired from the Scott County government as Solid Waste Director, Vivian was most proud of organizing and participating in the "Scott County Looks Good to Me" and "I Spy" programs, which were notably successful anti-littering programs.

For her unwavering dedication to volunteer service she was presented the Humanitarian Award from the Scott County Chamber of Commerce. Shortly afterwards, she was presented with the Governor's Volunteer Star Award from the State of Tennessee by Governor Bredesen and was inducted into the Scott County Boys and Girls Club Hall of Fame.

Vivian Smith will be sorely missed and fondly remembered for her grace, compassion and dedication to volunteerism. It has been said that she loved to serve because of the love she had for the people of Scott County. Well, Vivian, the feeling was and will forever be mutual.

TRIBUTE TO METROPOLITAN AIRPORTS

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. ELLISON. Madam Speaker, I rise today to congratulate the Metropolitan Airports Commission's board members and staff for Minneapolis-St. Paul International Airport's recent recognition as the Best Airport in North America and Third Best in the World in its size category.

The Airports Council International granted this award to the Minneapolis-St. Paul airport based on feedback from air travelers during the 2008 Airport Quality Survey. The 2008 airport rankings reflect the responses of more than 200,000 passengers who filled out questionnaires at 108 airports.

Minnesota is well known for the strong work ethic of its residents, and their commitment to ensuring Minnesota continues to be one of the best places to live, work and visit. Those characteristics form the foundation for the Metropolitan Airports Commission's latest outstanding accomplishment.

Minneapolis-St. Paul International Airport serves as Minnesota's front door for those who come to the state for business or pleasure. I invite you and all the members of this esteemed Congress to come experience the hospitality Minnesota is famous for from the moment their plane touches down on the runways of Minneapolis-St. Paul.

In closing Madam Speaker, I would like to once again extend my deepest congratulations to the Minneapolis Airports Commission hard work and great accomplishment.

VIETNAM HUMAN RIGHTS DAY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. ZOE LOFGREN of California. Madam Speaker, I rise in honor of Vietnam Human Rights Day and to recognize the daily struggle for freedom in Vietnam.

Fifteen years ago, Congress designated May 11th as Vietnam Human Rights Day, recognizing the plight of the people of Vietnam under the repression of their communist government. I am sad to say that these conditions persist to this day.

Just last week, Vietnam's human rights record was examined by the United Nations Human Rights Council, under the Universal Periodic Review. As part of this proceeding, numerous non-governmental organizations reported a wide range of serious abuses.

Journalists, dissidents, and whistleblowers are imprisoned merely for questioning government policies in public or calling attention to corruption or other wrongdoing. Citizens are arrested, detained, and imprisoned without due process of law. Independent political parties and labor unions are banned. In all of this, the Vietnamese government scorns the rule of law, violating its international human rights obligations and, often, its own constitution.

Abuses of religious freedom are also a serious problem. In its Annual Report for 2009, the U.S. Commission on International Religious Freedom has again called for Vietnam to be designated as a Country of Particular Concern by the State Department. I commend the Commission for making this recommendation, and urge the State Department to follow its advice.

The United States granted Vietnam Permanent Normal Trade Relations in 2006. Since then, its already abysmal human rights record has gotten even worse. Once the Vietnamese government got the trade agreement that it wanted, it felt free to escalate its repression.

It is time for the United States to consider how it can use its considerable leverage to assist those who are striving for human rights and democracy in Vietnam. I rise to honor their efforts and sacrifices.

INTRODUCTION OF THE PRE-APPRENTICE AND APPRENTICESHIP TRAINING ACT OF 2009

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. NORTON. Madam Speaker, the Pre-Apprentice and Apprenticeship Training Act of 2009 makes mandatory the one half of one percent of funds now available under 23 U.S.C. 140(b) to ensure federal highway funds are used to provide on-the-job training and other services to combat a serious training deficit that builds in the effects of past discrimination and that is necessary because the current cohort of journeymen and other skilled workers is retiring. Currently, only 17 states use fund previously made available for training and even that participation is spotty. The Transportation and Infrastructure Committee,

under the strong leadership of Chairman JIM OBERSTAR has already taken the first important steps to include training as an essential part of building our infrastructure when he included, at my request, $3 million specifically for training in the General Services Administration stimulus authorization this year. He also included $20 million for federal highways training programs.

Today, the official unemployment rate already is at 15 percent for blacks and 8 percent for whites, a typical gap throughout economic cycles. Most analysts predict that there is more unemployment to come. This surface transportation reauthorization is also necessary to finally afford the opportunity for minorities and women to gain their first foothold in the high-wage construction industry.

More than 25 years ago, the federal government abruptly ended the government-sponsored labor-management remediation program designed to address training and exclusionary practices in the construction industry. Although deliberate exclusion has largely receded, elimination of this program has left a significant training deficit for workers in skilled construction trades, which is largely responsible for the white male profile of the construction industry today. This training deficit guarantees that infrastructure jobs will continue to go to trained, mostly white male construction workers, who now have faced a long period of unemployment and job scarcity. Particularly considering a steep rise in unemployment for minorities and whites alike, this bill will also help avoid racial tension.

Because of the scarcity of trained workers during boom times, a few union programs had even begun training ex-offenders as pre-apprentices and apprentices to do construction work. This bill will mount a major national infrastructure program focused on job creation with a well-designed component of pre-apprenticeship and apprenticeship programs that can lead to high-paying journeymen jobs for the new workers who will be needed in the future. And it will assure compliance with the 14th Amendment and Title VI of the Civil Rights Act of 1964, which bar discrimination in the use of government dollars.

More than 25 years ago the federal government prematurely ended the successful government-sponsored labor-management remediation program that addressed exclusionary practices and lack of training in the construction industry. Without a significant and systematic government effort, a serious training deficit has remained and continued to build. This training deficit is largely responsible for the white male profile of the construction industry today. Unless training is a strong component of the highway and transit reauthorization, underrepresentation of minorities and women will deepen.

Training is a major barrier, particularly for African Americans and women in construction. Congress recognized the training deficit and encouraged the use of one half of one percent for training in the use of highway funds. Because use of federal funds was not mandated for training, only 17 states have chosen, intermittently, to fund training programs, since the program was authorized in 1998. Without appropriate training, federal funds will exacerbate the training deficit among previously excluded groups and others who have not had access to training in the construction trades.

A recent study of African Americans, in particular, in the construction industry in eighteen metropolitan areas found that they are underrepresented in construction jobs. If African Americans were employed in construction at the same rate that they are employed in the overall workforce, the study estimated that 42,700 more African Americans would be employed in construction in the eighteen metropolitan areas.

The official unemployment rate as of April 2009 already is 15 percent for African Americans and 8.8 percent for whites. This disparity has been typical throughout economic cycles.

A major, well-designed component in the surface transportation reauthorization bill for pre-apprenticeship and apprenticeship programs can lead to high-paying journeymen jobs, where, in good times and scarce, labor supply has developed.

Congress must assure compliance with the 14th Amendment and Title VI of the Civil Rights Act of 1964, which bar discrimination in the use of government dollars.

CELEBRATING ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. AL GREEN of Texas. Madam Speaker, I am proud to support the House Resolution celebrating May as Asian Pacific American Heritage Month.

As we continue to struggle through one of the deepest economic crises in recent history, we must not forget to recognize and appreciate the contributions of the Asian Pacific Islander American (APIA) communities of our great country.

If one looks at the long history of the Asian American experience, they will undoubtedly see a collective story of perseverance and triumph. They will also see that this story is ongoing, and is defined by the tremendous contributions that Asian and Pacific Islander Americans continue to make.

They will see the earliest Asian immigrants, who in spite of being completely excluded from American citizenship and its basic protections, shouldered the labor to build a railroad system and support a growing agricultural sector that changed the face of America.

They will see the countless Japanese Americans, who despite being interned, stripped of their hard-earned wealth and forced to rebuild their lives, served their country faithfully and without question.

They will see the numerous Asian Pacific Islander Americans, who despite all that has been endured, now serve as exemplary public servants leading our county. From city councilors, to the President of the United States, who grew up in Indonesia and Hawaii, the APIA community deserves recognition and has much to be proud about.

Finally, they will see that despite all that has been accomplished, despite everything that there is to be proud of, we cannot lose sight of the fact that much remains to be done. We must continue to help the many Asian Pacific Islander Americans who endure racism, struggle against poverty and are fighting for equal access to the fundamental institutions of our country.

America has always been a reflection of its people. As we recognize May as Asian American Heritage Month, let us recognize that America would not be the grand nation it is today without our friends in the Asian Pacific Islander American communities.

HONORING PETER L. LITRENTA

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mrs. DAVIS of California. Madam Speaker, I rise today to pay tribute to Peter L. Litrenta, a husband, father, 25-year Navy veteran and civic leader with a passion for San Diego, its waterfront and its people. Pete, as he was affectionately known, peacefully passed away in his Coronado home on April 22, surrounded by his loving family. He lived a full and meaningful life, making countless contributions to San Diego and serving as an inspiration and role model to all.

Pete was born in Racine, Wisconsin on April 25, 1942. He attended the University of Notre Dame, earning a BA in Communications in 1964. He began his Navy career after graduation, later earning an MA in Public Relations from Boston University in 1972.

Not long after his 23rd birthday, Pete met the love of his life, Linda. Theirs was a fairytale romance. Pete and Linda married just four months after they first met and celebrated their 43rd anniversary just five months ago. While Pete's life took him all over the world, San Diego was Pete's home. It is where he and Linda raised their three wonderful daughters, Danielle, LyAnne and Katie. Family was Pete's first and only true love.

But Pete did have other passions: Notre Dame football, the United States Navy, and San Diego, just to name a few.

Pete's Navy Career marched alongside history, from the Gulf of Tonkin incident to the terrorist bombing of the Marine barracks in Beirut. Mr. Litrenta organized Beirut the news bureau, serving as spokesperson for the Marines when they landed in 1982. In 1986, he developed and implemented the San Diego Rally Against Drugs, mobilizing over 35,000 people to parade down Broadway to bring awareness to the dangers of drug use.

After retiring from the Navy, Pete worked for the Chamber of Commerce and then for the San Diego Port Tenants Association. He became intimately involved in nearly all aspects of San Diego's social, civic and philanthropic endeavors. Pete's influence on San Diego is everywhere. If you watched the Holiday Bowl, Pete helped select the teams on the field. If you gazed upon the waterfront, you will see the USS Midway Museum, which Pete helped bring to our port. If you saw Dennis Conner defend the America's Cup, Pete served on the Organizing Committee in charge of media and community relations.

Whether volunteering or working, Pete was intimately connected to the community. He served as President of the San Diego Fleet Week Foundation and the Coronado Schools Foundation. Pete was a member of the Mayor's BRAC Task Force, served on the Board of the Chamber of Commerce, the San Diego USO, the San Diego Convention and Visitors' Bureau, the USS Midway Museum, the San Diego Taxpayers' Association, and the Holiday & Poinsettia Bowls. At times, it seemed as if

Pete was everywhere. He touched the lives of many, leaving an imprint on all he graced.

So today I honor Mr. Pete Litrenta. As one of his thousands of friends, I join his colleagues, his wife Linda, and their three daughters Danielle, LyAnne and Katie, in not only mourning his loss, but in celebrating his life. His memorial will be held on board the USS Midway Museum, a venue as identifiable with San Diego as Pete.

He was a pillar of the San Diego community and will be missed by all. I am reminded of what Mark Twain said about life:

''Twenty years from now you will be more disappointed by the things you didn't do than by the ones you did do. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover.''

It's hard to imagine something Pete did not do. He explored the world, but found safe harbor in San Diego. He dreamed of brighter futures for his family, friends and for the entire San Diego community. He discovered his true love and pursued his true passions.

Madam Speaker, I ask the House observe a moment of silence in honor of Mr. Peter L. Litrenta.

HONORING THE HISTORICAL CONTRIBUTIONS OF CATHOLIC SISTERS IN THE UNITED STATES

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. KAPTUR. Madam Speaker, as we continue to celebrate Mother's Day and the women who have enriched our lives, I would like to recognize a group of women who may not receive cards or flowers this week, but who act as mothers to the world.

Regardless of religious affiliation or conviction, Catholic sisters have not only nurtured countless hearts, minds, and souls throughout our nation's history, but they have played a vital role in shaping American life. The humble sacrifices, the heartfelt dedication and the tremendous contributions of these women are in earnest need of recognition.

For this reason I have introduced a resolution today honoring the historical contributions of Catholic sisters in the United States.

Since 1727, Catholic sisters have fearlessly and often sacrificially committed their personal lives to teaching, healing, and social action. Joined in unique forms of intentional communal life dedicated to prayer and service, these women have participated in the opening of the West, nursed soldiers during the Civil War, and cared for afflicted populations during the epidemics of the 19th and early 20th centuries.

Catholic sisters established the nation's largest private school system and founded more than 110 U.S. colleges and universities, through which they have educated millions of young Americans.

Moreover, managing organizations long before such positions were even open to women, the bold passion of Catholic sisters established hospitals, orphanages, and charitable institutions. They were among the first to stand with the underprivileged, to educate or to work among the poor and underserved, and to facilitate leadership through opportunity and example.

Since 1980 alone, at least nine American sisters have been martyred. Maura Clark, MM, Ita Ford, MM and Dorothy Kazel, OSU were martyred in El Salvador in 1980. Joel Kolmer, ASC, Shirley Kolmer, ASC, Kathleen McGuire, ASC, Agnes Mueller, ASC and Barbara Ann Muttra, ASC were martyred in Liberia in 1992. And, Dorothy Stang, SNDdeN was martyred in Brazil in 2005. Despite such a horrifying reality, Catholic sisters remain dedicated and courageously spirited.

Across the globe, Catholic sisters continue to provide shelter, food, and basic human needs to the economically or socially disadvantaged and advocate relentlessly for the fair and equal treatment of all persons. They work for the eradication of poverty and racism and for the promotion of nonviolence, equality and democracy both in principle and in action. The humanitarian work of Catholic sisters with communities in crisis and refuge throughout the world positions them as activists and diplomats of peace and justice for those most at risk populations.

These women have offered so much to the world yet their stories have rarely been narrated or honored in our history. Though long overdue, the lives, works and legacies of Catholic sisters will finally be recounted.

I am happy to announce that on May 16th, 2009, a traveling exhibit called ''Women & Spirit: Catholic Sisters in America'' will open in Cincinnati, Ohio. Sponsored by the Leadership Conference of Women Religious (LCWR) in association with the Cincinnati Museum Center, it will tour multiple cities over the next few years.

In continued celebration of the women who have shaped our lives and cultivated our potential, I stand to recognize the Catholic sisters not only for the personal impact they have had within our own lives, but for the extraordinary contributions they have made to the history of the United States.

FOOD ALLERGY AWARENESS WEEK

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. REICHERT. Madam Speaker, as we ate breakfast today, more than 12 million Americans were carefully watching what they ate and how their food was prepared. You may be thinking that they are trying to lose weight, but that's not the reason—it's because they suffer from life-threatening food allergies.

The statistics are frightening—particularly among children. Between 1997 and 2002, the number of children under age five who suffer from food allergies actually doubled.

Scientists have been unable to develop cures for food allergies. We must do more to support NIH medical research and raise awareness about these health problems.

I applaud the creation of the new Food Allergy Initiative Advocacy Steering Committee and I'm excited to hear that my constituent, Ms. Sally Porter, will serve on the committee.

This group seeks to help build a strong nationwide presence for the food allergy community. I urge my colleagues to learn how they can get involved and to work with me to support federal resources for food allergy research.

HONORING THE 34TH ANNUAL CAPITAL PRIDE FESTIVAL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. NORTON. Madam Speaker, I rise to pay tribute to the 34th Annual Capital Pride Festival, a celebration of the National Capital Area's Gay, Lesbian, Bisexual and Transgender, GLBT, communities, their families, and friends.

The Capital Pride Festival has grown from a small block party in 1975 to the current ten-day-long celebration. This year Capital Pride Festival culminates with what Washington's City Paper has declared D.C.'s Best Parade for two years running, the Pride Parade on June 13th and ''The Main Event,'' a street fair on Pennsylvania Avenue in the shadow of the Capitol, June 14th.

This year, the Festival's new organizers, the Capital Pride Alliance, Inc. anticipates an attendance of 250,000, making Capital Pride one of the largest GLBT festivals in the United States.

2009 marks the 40th anniversary of the Stonewall Riots, which, in the early hours of June 28, 1969, New York City's GLBT community spontaneously and publicly asserted its rights in defiance of government oppression. The Capital Pride commemorates this event with the theme ''Generations of Pride: Celebrate and Remember.''

I have marched in the Pride parades since coming to Congress to emphasize the universality of human rights and the importance of enacting federal legislation to secure those rights for the GLBT community and the District of Columbia. Congress has much work to do. We must pass The Family Leave Insurance Act of 2009, Employment Non-Discrimination Act, The Local Law Enforcement Hate Crimes Prevention Act / Matthew Shepard Act, Safe Schools Improvement Act, The Military Readiness Enhancement Act, ''The Domestic Partnership Benefits and Obligations Act, Tax Equity for Health Plan Beneficiaries Act, The Family and Medical Leave Inclusion Act, Uniting American Families Act, Responsible Education About Life Act, and the Early Treatment for HIV Act.

This year, as Iowa, Maine, and New Hampshire have extended full rights to their GLBT residents. Our city of 600,000 residents, 10 percent more residents than the entire State of Wyoming, who pay more taxes per capita than 49 of the 50 states, remains the only jurisdiction in the United States where all its citizens are denied their basic rights by being subjected to Taxation Without Representation.

The residents of our Nation's Capital are entitled all their rights as citizens. I support and, I will defend, DC Council's action to extend full faith and credit to all marriages contracted in the United States as necessary to stabilize and protect all DC Families.

I ask the House to join me in welcoming the celebrants attending the 34th Annual Capital Pride Festival in Washington, DC, and I take this opportunity to remind the celebrants that

U.S. citizens who reside in Washington, DC are taxed without full voting representation in Congress.

RECOGNIZING ARMED FORCES DAY

SPEECH OF

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

Mr. GINGREY of Georgia. Madam Speaker, I rise today to express my strongest support for H. Res. 377, a bill that recognizes Armed Forces Day and commends the exemplary service of the members of the United States Armed Services. I would like to say a special thanks to Chairman SKELTON and Ranking Member MCHUGH, as well as to the Members and staff of the House Armed Services Committee for their tireless efforts in support of our soldiers, sailors, airmen, and marines who are bravely defending us at home and abroad.

Today, it is appropriate that we take a moment to recognize and say thank you to the members of our Armed Forces for their dedication, sacrifice, and honor. Each and every day, they keep this great nation safe and protect the freedoms that we enjoy every single day. We are proud of all of our servicemen and women and are eternally grateful for their efforts in the Global War on Terror. Furthermore, let us not forget those who have given their lives in service to our freedom, and let us say a gracious thank you to them for their willingness to make the ultimate sacrifice for liberty.

Madam Speaker, the families of those who serve our country on the front lines also deserve the admiration and appreciation of each and every citizen. These family members often watch their loved ones travel to far away lands in support of a cause and an ideal so much greater than any one individual. Indeed, our democratic form of government is testament to the courage and valor of our Armed Forces. The support given to our servicemen and women by their loved ones is irreplaceable, as it is the foundation for the bravery inherent in those who labor steadfastly in the defense of liberty.

I believe that the brave men and women who sacrifice for our present freedoms deserve our fullest support. Our nation's servicemen and women represent the best our country has to offer, and they must be treated with the respect and honor they deserve. As we ask these courageous soldiers, sailors, airmen, and marines—and their families—to do more and more, it's only right we continue doing all we can for them. Recognizing Armed Forces Day in 2009 is just one small reminder of the superior job our troops perform for America at home and abroad, and it is my hope that we will continue to do all we can and more for the members of our Armed Forces.

Madam Speaker, I urge all of my colleagues to support this bill.

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, and for other purposes:

Mr. ETHERIDGE. Mr. Chair, I rise in strong support of H.R. 2187, the 21st Century Green High-Performing Public School Facilities Act. As the only former state schools chief serving in Congress, I know that one of the biggest challenges we face in North Carolina, and across the country, is the lack of adequate facilities for learning to take place. This bill will put the federal government in partnership with local school districts to improve our schools and make them safer, healthier, and more green places for our children. However, this bill is about more than building schools. In this time of economic crisis, our efforts should be focused on helping people in our communities. And this bill does that by focusing on three things: jobs, jobs, and jobs.

First, the bill will create jobs in our communities in the short term. School construction and modernization projects enabled by this legislation will put people to work in construction, renovation, and planning. Across the country, hundreds of projects are ready to go immediately if given the green light with funding, and that means employment in 30 or 60 or 90 days from the time this bill gets funded.

Second, the bill lays the foundation for the clean energy jobs we need in the future. The green building projects enabled by this legislation will provide a model for innovation in the future. We will put people to work improving energy efficiency and applying new sources of energy to our needs, creating high tech jobs and new industries that will apply American ingenuity and know-how. This will also reduce our dependence on foreign sources of energy.

Third, the bill invests in the next generation so that they are prepared for the jobs of the 21st Century. There really is no substitute for bricks and mortar when it comes to quality schools and to meeting the educational goals of our communities. Funding in this bill will move our kids out of trailers, from facilities that put our children's health and safety at risk, into quality classrooms where they can focus on learning. And it will free up local funds to be used to improve classroom education.

This bill is about jobs today, jobs tomorrow, and jobs for the future. It addresses our most important priorities in unemployment, energy, and education. It is a good bill, and I urge my colleagues to join me in supporting it.

HONORING DIANE POLICELLI

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Mr. MCCOTTER. Madam Speaker, today I rise to honor and acknowledge Diane Policelli, upon her receipt of the Tribute to Women Award, presented by the Michigan Federation of Republican Women.

Diane Policelli has selflessly dedicated herself to serving her community and actively promoting the values and ideals of the Republican Party. Since retiring from her career with Ford Motor Company, she has become dynamically engaged in her neighborhood. A certified member of the Community Emergency Response Team, Diane frequently supports the city and Police and Fire departments during emergency situations. She is a Board member and chief fundraiser for the Livonia Public Schools Foundation, as well as the Vice President of the Civic Library Commission. In these roles, she dedicatedly volunteers her time to mentoring high school students.

As the Community Service Chair and Hostess Chair for the Suburban Republican Women's Club, she dedicates her time to organizing activities which allow the members to creatively engage with the community. Under her direction, the Suburban Republican Women have been participating in a program to collect coupons to assist the military families of the United States. Diane also worked with a local senior citizen center on a project to have the club serve food at a dinner for the seniors.

Madam Speaker, I ask my colleagues to join me in extending sincere congratulations to this year's Tribute to Women Award honoree, Diane Policelli, for her devoted service to her community and country.

28TH ANNUAL NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 14, 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, today we stand on the West Lawn commemorating and celebrating the Nation's law enforcement officers from across the Nation. As Members of Congress, we welcome you to this Congress every year, and we do so humbly and with great appreciation.

Let me acknowledge the work that many of us have done with our local law enforcement in the State of Texas. We have a multitude of law disciplines and law enforcement persons to whom we in Texas owe a debt of gratitude. From the constables office to other peace officers throughout the City of Houston, we owe these peace officers a debt of gratitude.

As a Member of the Eighteenth Congressional District, I have the privilege of representing the first African American constable, Mae Walker, and representing Constable Victor Trevino, a Hispanic constable. We have deputy sheriffs. We have the sheriff's department. We have the Houston Police Department, the Department of Public Safety. In many instances we find great leaders who believe not only in crime fighting, but crime prevention.

Today I would like to focus upon the importance of law enforcement and their need to work in the community. I salute the former mayor of the City of Houston, Lee Brown, former chief of police of the cities of Houston, New York, and Atlanta. I consider him the father of community-oriented policing that really speaks to the hearts and minds of the people.

It lets the police officers and law enforcement officers become knowledgeable about the community. The COPS program helps police officers know the ''good guys'' and the ''bad guys.'' Neighbors become comfortable with law enforcement officers when they are engaged as people who are concerned about the neighborhood and the community.

At the same time as we raise up and respect our law enforcement officers, let me applaud those who I speak to all the time as I travel to Washington. We have a very effective aviation police force. I get an opportunity as I go through the airport to listen to them and to thank them.

Let us be concerned about the benefits for law enforcement officers. In particular, I know that my city, a very large city, has seen the decline of senior officers. For some reason or another, because our belts are being tightened, we don't have enough resources to provide them with the upward mobility, the professional development and the protection of their pensions and to recognize the sacrifice that they and their families are making. We as communities across the Nation should be concerned about making sure they have the right kind of benefits.

On the Federal level, I am very glad that the House Judiciary Committee has just passed out a COPS bill reauthorization. I think that is a very, very important aspect of the work of this Congress. The COPS program worked. It provided police officers for rural communities and urban communities. I spoke to my police personnel there and they said, yes, it would help us greatly if the COPS program were reauthorized. So as we salute our peace officers across America, let us make sure that we are actually doing as we are saying, and that is providing them with the resources that they need.

At the same time, let me also add the importance of training. There is the sensitivity that our police officers are able to get through experience, but training also helps them detect those with mental illness and have the best resources to address those suffering from mental illness so that those persons can be taken away from society before they do harm to themselves or someone else.

We thank those who are serving today. We offer our deepest sympathy to the families of those who have lost their lives on the front lines of law enforcement in America over the last year, and we certainly acknowledge the continued sacrifice that law enforcement officers will make.

We should promote and congratulate good law enforcement officers. We should not allow the bad incidents that occur, the mishaps that occur, and many of them have occurred, and I have stood up vigorously against them and I will stand up yesterday, today and tomorrow, when there is abuse.

But we should not allow those kinds of situations to take away from the grandeur, the respect, the honesty, the integrity and the downright commitment that the law enforcement agencies of America, particularly those in our local communities, show every single day with the idea that as they leave in the morning and kiss their families good-bye, that they might sacrifice their lives so that we might be safe.

We owe them a great debt of gratitude, and it is my pleasure to thank our peace officers. Peace officers, the sworn, public-sector officers entrusted with law enforcement authority and the power of arrest, risk their lives daily to protect our Nation. These individuals, who are responsible for safeguarding the rights and freedoms we enjoy as Americans, are true heroes.

Peace Officers Memorial Day honors those who have made the ultimate sacrifice for the safety and security of their communities and our Nation. Created by Public Law 87–726, signed by President Kennedy in 1962, this day gives us the opportunity to acknowledge and pay our respect to those who, through their courageous deeds, have fallen in the line of duty.

In the Houston Police Department's 168–year history, 109 officers have been killed while on duty. Nationally, the number of police officers that have fallen in the line of duty has decreased. Although the number of officers killed in the line of duty has declined in recent years, the fact that one officer is killed every 2½ days in our country is a sober reminder that protecting our communities and safeguarding our democracy come at a heavy price. There are 17,917 names engraved on the Memorial, representing officers from all 50 states, the District of Columbia, U.S. territories, and Federal law enforcement and military police agencies.

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 2009

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2187) to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of pubilc school facilities, and for other purposes:

Mr. VAN HOLLEN. Mr. Chair, I rise today as a member of the Green Schools Caucus to strongly support the 21st Century Green High-Performing Public School Facilities Act.

Many of our nation's schools are in disrepair. The average American school is 50 years old and almost two-thirds need extensive modernization. According to the GAO, 14 million students attend schools considered below standard or dangerous. In my own district, thousands of students go to class in portable classrooms—trailers located outside the school buildings—because the schools can no longer accommodate the growing student population. But in a time of state budget deficits, fewer dollars are going to school construction projects.

Today's bill will assist local school districts with the initial costs of construction and modernization and, by investing in energy efficient technology, will result in significant long term savings. Building green costs about 2 percent more than conventional construction, but can save 20 times that amount over the life of the school.

Moreover, green school construction yields substantial environmental benefits. Green schools use on average 33 percent less energy and produce less carbon dioxide, nitrogen oxide, sulfur dioxide, and coarse particulate matter emissions.

With its investment in infrastructure, this bill provides an important economic stimulus. School districts have many projects ready to go. When this bill is passed, we will see additional jobs in the construction industry, including suppliers, architects, contractors, and engineers.

Mr. Chair, this legislation is a good, long-term investment. I urge my colleagues to pass this bill today and work to ensure that it is fully funded to improve education, reduce our energy consumption, and create jobs in local communities.

Daily Digest

HIGHLIGHTS

House passed H.R. 2346, Supplemental Appropriations Act, 2009.

Senate

Chamber Action

Routine Proceedings, pages S5459–S5541

Measures Introduced: Twenty-three bills and three resolutions were introduced, as follows: S. 1036–1058, and S. Res. 149–151. **Pages S5501–02**

Measures Reported:

S. 1054, making supplemental appropriations for the fiscal year ending September 30, 2009. (S. Rept. No. 111–20). **Page S5501**

Measures Passed:

Commending South Charleston, West Virginia on 50th Annual Armed Forces Day: Committee on Armed Services was discharged from further consideration of S. Res. 146, commending South Charleston, West Virginia, for celebrating its 50th annual Armed Forces Day on May 16, 2009, and the resolution was then agreed to. **Page S5538**

World Press Freedom Day: Senate agreed to S. Res. 149, expressing solidarity with the writers, journalists, and librarians of Cuba on World Press Freedom Day and calling for the immediate release of citizens of Cuba imprisoned for exercising rights associated with freedom of the press. **Page S5538**

Commemorating and Celebrating Fallen Officers in the State of Washington: Senate agreed to S. Res. 150, commemorating and celebrating the lives of Officer Kristine Marie Fairbanks, Deputy Anne Marie Jackson, and Sergeant Nelson Kai Ng who gave their lives in the service of the people of Washington State in 2008. **Pages S5538–39**

Measures Considered:

Credit Cardholders' Bill of Rights Act: Senate continued consideration of H.R. 627, to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, taking action on the following amendments proposed thereto: **Pages S5468–94, S5496**

Pending:

Dodd/Shelby Amendment No. 1058, in the nature of a substitute. **Page S5468**

Landrieu Modified Amendment No. 1079 (to Amendment No. 1058), to end abuse, promote disclosure, and provide protections to small businesses that rely on credit cards. **Pages S5468, S5471–74, S5488–92**

Collins/Lieberman Modified Amendment No. 1107 (to Amendment No. 1058), to address stored value devices and cards. **Pages S5468, S5471**

Lincoln Amendment No. 1126 (to Amendment No. 1107), to amend the Federal Deposit Insurance Act with respect to the extension of certain limitations. **Pages S5474–88**

A unanimous-consent agreement was reached providing that no further amendments be in order to the bill, except a managers amendment which has been cleared by the mangers and the two Leaders, and that Senate resume consideration of the bill at 10 a.m., on Tuesday, May 19, 2009, and vote on the motion to invoke cloture on Dodd/Shelby Amendment No. 1058 (listed above); provided that if cloture is invoked on the amendment, Senate consider any pending germane amendments, and that upon disposition of those amendments, all post-cloture time be yielded back, and the substitute amendment, as amended, be agreed to, and Senate vote on passage of the bill; provided further that the motion to invoke cloture on the bill, be withdrawn. **Page S5494**

House Messages:

Fraud Enforcement and Recovery Act: Senate concurred in the amendments of the House of Representatives to 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, with an amendment. **Pages S5494–95**

Weapon Systems Acquisition Reform Act: Senate disagreed to the amendment of the House of Representatives to S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, agreed to the request for a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Levin, Kennedy, Byrd, Lieberman, Reed, Akaka, Nelson (FL), Nelson (NE), Bayh, Webb, McCaskill, Udall (CO), Hagan, Begich, Burris, McCain, Inhofe, Sessions, Chambliss, Graham, Thune, Martinez, Wicker, Burr, Vitter, and Collins. **Pages S5495–96**

Nominations Confirmed: Senate confirmed the following nominations:

Philip H. Gordon, of the District of Columbia, to be an Assistant Secretary of State (European and Eurasian Affairs).

Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2013. **Page S5541**

Nominations Received: Senate received the following nominations:

Aneesh Chopra, of Virginia, to be an Associate Director of the Office of Science and Technology Policy.

Capricia Penavic Marshall, of the District of Columbia, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service.

39 Air Force nominations in the rank of general.

Routine lists in the Air Force, National Oceanic and Atmospheric Administration, and Navy.

Pages S5539–41

Messages from the House: **Pages S5499–S5500**

Measures Referred: **Page S5500**

Measures Placed on the Calendar: **Page S5500**

Executive Communications: **Pages S5500–01**

Executive Reports of Committees: **Page S5501**

Additional Cosponsors: **Pages S5502–04**

Statements on Introduced Bills/Resolutions: **Pages S5504–30**

Additional Statements: **Pages S5497–99**

Amendments Submitted: **Pages S5530–37**

Notices of Hearings/Meetings: **Page S5537**

Authorities for Committees to Meet: **Page S5537**

Privileges of the Floor: **Page S5537**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:19 p.m., until 2:00 p.m. on Monday, May 18, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5539.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL INTELLIGENCE AND MILITARY INTELLIGENCE PROGRAM

Committee on Appropriations: Subcommittee on Defense concluded a closed hearing to examine the proposed budget estimates for fiscal year 2010 for national intelligence program and military intelligence program, after receiving testimony from Dennis Blair, Director of National Intelligence; and James R. Clapper, Jr., Under Secretary of Defense for Intelligence.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported a bill providing supplemental appropriations for fiscal year 2009 for Iraq, Afghanistan, Pakistan and pandemic flu, with amendments.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee concluded a hearing to examine the defense authorization request for fiscal year 2010 for the Future Years Defense Program, after receiving testimony from Robert M. Gates, Secretary, and Robert F. Hale, Under Secretary (Comptroller) and Chief Financial Officer, both of the Department of Defense; and Admiral Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 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, Andrew Charles Weber, of Virginia, to be Assistant to the Secretary for Nuclear and Chemical and Biological Defense Programs, Paul N. Stockton, of California, to be Assistant Secretary for Homeland Defense and Americas' Security Affairs, Thomas R. Lamont, of Illinois, to be Assistant Secretary of the Army for Manpower and Reserve Affairs, and Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Air Force, all of the Department of Defense.

CARBON CAPTURE AND SEQUESTRATION PROGRAM

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1013, the Department of Energy Carbon Capture and Sequestration Program Amendments Act of 2009, after receiving testimony from Victor K. Der, Acting Assistant Secretary, Office of Fossil Energy, Department of Energy; Kit Batten, Science Advisor in the Office of the Deputy Secretary, Department of the Interior; Wyoming State Representative Thomas E. Lubnau II, Gillette; John Tombari, Schlumberger Carbon Services, Houston, Texas; Karl Moor, Southern Company, Atlanta, Georgia; A. Scott Anderson, Environmental Defense Fund, Austin, Texas; and Chiara Trabucchi, Industrial Economics Incorporated, Cambridge, Massachusetts.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following items:

S. 1005, to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States, with an amendment in the nature of a substitute;

S. 849, to require the Administrator of the Environmental Protection Agency to conduct a study on black carbon emissions;

H.R. 80, to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act;

H.R. 388, 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;

S. 529, to assist in the conservation of rare fields and rare canids by supporting and providing financial resources for the conservation programs of countries 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. 813, to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the ''J. Herbert W. Small Federal Building and United States Courthouse'';

H.R. 837, to designate the Federal building located at 799 United Nations Plaza in New York, New York, as the ''Ronald H. Brown United States Mission to the United Nations Building''; and

Army Corps of Engineers Study Resolution: Miles City and Vicinity, Montana.

HEALTH CARE COVERAGE

Committee on Finance: Committee met in closed session to discuss expanding health care coverage.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Jeffrey D. Feltman, of Ohio, to be Assistant Secretary for Near Eastern Affairs, and Robert Orris Blake, Jr., of Maryland, to be Assistant Secretary for South Asian Affairs, who was introduced by Senator Whitehouse, both of the Department of State, after the nominees testified and answered questions in their own behalf.

MIDDLE EAST ROAD TO PEACE

Committee on Foreign Relations: Committee concluded a hearing to examine the Middle East, focusing on the road to peace, after receiving testimony from the Right Honorable Tony Blair, former Prime Minister of the United Kingdom, Quartet Representative, London, United Kingdom.

DELIVERY REFORM

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine delivery reform, focusing on the roles of primary and specialty care in innovative new delivery models, after receiving testimony from Kenneth E. Thorpe, Emory University, Atlanta, Georgia; Richard A. Cooper, University of Pennsylvania School of Medicine, Philadelphia; Steven Schlossberg, American Urological Association, Norfolk, Virginia, on behalf of the Alliance of Specialty Medicine; Michael Nochomovitz, University Hospitals Medical Practices and University Hospitals Management Services Organization, Cleveland, Ohio; and Marsha Raulerson, American Academy of Pediatrics, Brewton, Alabama.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the nomination of Larry J. Echo Hawk, of Utah, to be Assistant Secretary of the Interior for Indian Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 47 public bills, H.R. 2403–2449; and 13 resolutions, H. Con. Res. 127 and H. Res. 437–448 were introduced. **Pages H5663–67**

Additional Cosponsors: **Pages H5667–68**

Reports Filed: Reports were filed today as follows:

H.R. 689, to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, with an amendment (H. Rept. 111–108) and

H.R. 1170, to amend chapter 21 of title 38, United States Code, to establish a grant program to encourage the development of new assistive technologies for specially adapted housing, with an amendment (H. Rept. 111–109).

H.R. 1088, to amend title 38, United States Code, to provide for a one-year period for the training of new disabled veterans' outreach program specialists and local veterans' employment representatives by National Veterans' Employment and Training Services Institute (H. Rept. 111–110); and

H.R. 1089, to amend title 38, United States Code, to provide for the enforcement through the Office of Special Counsel of the employment and unemployment rights of veterans and members of the Armed Forces employed by Federal executive agencies, with amendments (H. Rept. 111–111). **Page H5663**

Speaker: Read a letter from the Speaker wherein she appointed Representative Tauscher to act as Speaker pro tempore for today. **Page H5585**

21st Century Green High-Performing Public School Facilities Act: The House passed H.R. 2187, to direct the Secretary of Education to make grants to State educational agencies for the modernization, renovation, or repair of public school facilities, by a recorded vote of 275 ayes to 155 noes, Roll No. 259. **Pages H5588–93**

Rejected the Thompson (PA) motion to recommit the bill to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 182 ayes to 247 noes, Roll No. 258. **Pages H5591–93**

Agreed to:

Giffords amendment (No. 7 printed in H. Rept. 111–106) that was debated on May 13th that specifies that local educational agencies receiving funds under the act may encourage schools receiving funds for projects to educate students about those projects, including how they function, and their environmental, energy, sustainability, and other benefits (by a recorded vote of 334 ayes to 97 noes, Roll No. 255); **Page H5589**

Bright amendment (No. 10 printed in H. Rept. 111–106) that was debated on May 13th that requires the Secretary to reserve 5 percent of section 102 grant funds for grants to local educational agencies serving geographic areas with significant economic distress or recovering from a natural disaster (by a recorded vote of 433 ayes with none voting "no", Roll No. 256); and **Pages H5589–90**

Griffith amendment (No. 11 printed in H. Rept. 111–106) that was debated on May 13th that includes reducing the incidence and effects of asthma and other respiratory illnesses in children among the voluntary guidelines for high performing school buildings. It also adds reducing the incidence and effects of asthma and other respiratory illnesses to the list of demonstrable and expected benefits. The amendment includes the reduction and elimination of human exposure to airborne particles such as dust, sand, and pollens among the approved uses for grant funds used by local educational agencies (by a recorded vote of 433 ayes with none voting "no", Roll No. 257). **Pages H5590–91**

Rejected:

Kline (MN) amendment to amend the title of the bill (by a recorded vote of 149 ayes to 257 noes, Roll No. 260). **Pages H5593–94**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5594**

H. Res. 427, the rule providing for consideration of the bill, was agreed to on Wednesday, May 13th.

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, May 13th:

Recognizing Armed Forces Day and the exemplary service of the members of the United States Armed Forces: H. Res. 377, to recognize Armed Forces Day and the exemplary service of the members of the United States Armed Forces, by a 2/3 yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 263; **Page H5607**

Granting the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II: H.R. 347, to grant the congressional gold medal, collectively, to the 100th Infantry

Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II, by a 2/3 yea-and-nay vote of 411 yeas with none voting ''no'', Roll No. 266; and **Page H5633**

Medal of Honor Commemorative Coin Act of 2009: H.R. 1209, to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history. **Page H5633**

Supplemental Appropriations Act, 2009: The House passed H.R. 2346, making supplemental appropriations for the fiscal year ending September 30, 2009, by a yea-and-nay vote of 368 yeas to 60 nays, Roll No. 265. **Pages H5594–H5632**

Rejected the Rogers (KY) motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 191 yeas to 237 nays, Roll No. 264. **Pages H5630–32**

Pursuant to the rule, the amendment printed in H. Rept. 111–107 is considered as adopted. **Page H5608**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5632**

H. Res. 434, the rule providing for consideration of the bill, was agreed to by a recorded vote of 247 ayes to 178 noes, Roll No. 262, after agreeing to order the previous question by a yea-and-nay vote of 240 yeas to 188 nays, Roll No. 261. **Pages H5605–07**

Moment of Silence: The House observed a moment of silence in honor of police officers who have fallen in the line of duty. **Page H5632**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 1 p.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Monday, May 18th for morning hour debate, and further, when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, May 19th for morning hour debate and noon for legislative business. **Page H5635**

Senate Message: Message received from the Senate today appears on page H5635.

Quorum Calls—Votes: Five yea-and-nay votes and seven recorded votes developed during the proceedings of today and appear on pages H5589, H5590, H5590–91, H5592–93, H5593, H5593–94, H 5606, H5606–07, H5607, H5631, H5632, H5633. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:41 p.m.

Committee Meetings

HORTICULTURE/ORGANIC AGRICULTURE SAFETY STANDARDS

Committee on Agriculture: Subcommittee on Horticulture and Organic Agriculture held a hearing to review food safety standards for horticulture and organic agriculture. Testimony was heard from David W.K. Acheson, M.D., Associate Commissioner, Foods, FDA, Department of Health and Human Services; David Shipman, Acting Administrator, Agricultural Marketing Service, USDA; and public witnesses.

FINANCIAL SERVICES, GENERAL GOVERNMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services, General Government and Related Agencies held a hearing on the District of Columbia. Testimony was heard from the following officials of the District of Columbia: Adrian Fenty, Mayor; Vincent Gray, Council Chairman; and Natwar Gandhi, Chief Financial Officer.

INTERIOR AND ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior and Environment, and Related Agencies held a hearing on National Park Service. Testimony was heard from Dan Wenk, Acting Director, National Park Service, Department of the Interior.

NAVY BUDGET FY 2010; ARMY BUDGET 2010

Committee on Armed Services: Held a hearing on the Fiscal Year 2010 National Defense Authorization Budget Request from the Department of the Navy. Testimony was heard from the following officials of the Department of the Navy: B.F. Penn, Acting Secretary; ADM Gary Roughead, USN, Chief of Naval Operations; and GEN James T. Conway, USMC, Commandant of the Marine Corps.

The Committee also held a hearing on the Fiscal Year 2010 National Defense Authorization Budget Request from the Department of the Army. Testimony was heard from the following officials of the

Department of the Army: Pete Geren, Secretary; and GEN George W. Casey, Jr., USA, Chief of Staff.

CHILD NUTRITION/OBESITY REDUCTION

Committee on Education and Labor: Subcommittee on Health, Families and Communities held a hearing on Improving Child Nutrition Programs to Reduce Childhood Obesity. Testimony was heard from Representatives Castle and Woolsey; Michele Paterson, wife of David Paterson, Governor of New York; and public witnesses.

FEDERAL INSURANCE INDUSTRY/ OVERSIGHT

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled ''How Should the Federal Government Oversee Insurance?'' Testimony was heard from Baird Webel, Specialist in Financial Economics, Congressional Research Service, Library of Congress; and public witnesses.

U.S.-TURKEY PARTNERSHIP

Committee on Foreign Affairs: Subcommittee on Europe held a hearing on The United States and Turkey: A Model Partnership. Testimony was heard from public witnesses.

TRANSPORTATION SECURITY ADMINISTRATION AUTHORIZATION ACT

Committee on Homeland Security: Ordered reported, as amended, H.R. 2200, Transportation Security Administration Authorization Act.

OVERSIGHT—JUSTICE DEPARTMENT

Committee on the Judiciary: Held an oversight hearing on the Department of Justice. Testimony was heard from Eric H. Holder, The Attorney General.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following bills: H.R. 129, To authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California; H.R. 762, To validate final patent number 27–2005–0081, and for other purposes; H.R. 865, To convey the New River State Park campground located in Mount Rodgers National Recreation Area in the Jefferson National Forest in Carroll County, Virginia, to the Commonwealth of Virginia, and for other purposes; H.R. 1442, To provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909; H.R. 1471, To expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia, to redesignate the unit as a National Historical Park, and or other purposes; and H.R. 1641, Cascadia Marine Trail Study Act. Testimony was heard from Representatives Bishop of Georgia, and Matheson; Stephen P. Whitesell, Associate Director, Park Planning, Facilities, and Lands, National Park Service, Department of the Interior; Tony L. Ferguson, Acting Director, Lands and Realty Management, Forest Service, USDA; Representative Michael A. Cheokas, member, State Legislature, Georgia; and a public witness.

BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

Committee on Natural Resources: Subcommittee on Water and Power held a hearing on H.R. 2008, Bonneville Unit Clean Hydropower Facilitation Act. Testimony was heard from Reed Murray, Program Director, Central Utah Project Completion Act Office, Department of the Interior; and public witnesses.

FEDERAL EMPLOYEE CONTRACTOR WHISTLEBLOWER PROTECTION

Committee on Oversight and Government Reform: Held a hearing entitled ''Protecting the Public from Waste, Fraud, and Abuse: H.R. 1507, Whistleblower Protection Enhancement Act of 2009.'' Testimony was heard from Rajesh De, Deputy Assistant Attorney General, Office of Legal Policy, Department of Justice; Franz Gayl, Science and Technology Advisor to the Deputy Commandant for Plans, Policies and Operations/Deputy Branch Head, U.S. Marine Corps, Department of Defense; Louis Fisher, Special Assistant to the Law Librarian of Congress, Library of Congress; Bunnatine H. Greenhouse, former Procurement Executive and Principal Assistant Responsible for Contracting, U.S. Army Corps of Engineers, Department of Defense; Teresa Chambers, former Chief, U.S. Park Police, National Park Service, Department of the Interior; and public witnesses.

PROTECTING HINI FLU RESPONDERS

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service and the District of Columbia held a hearing entitled ''Protecting the Protectors: An Assessment of Frontline Federal Workers in Response to the H1N1 Flu.'' Testimony was heard from Thomas Galassi, Director, Technical Support and Emergency Management, Occupational Safety and Health Administration, Department of Labor; David Weissman, Director, Division of Respiratory Disease Studies, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services; Nancy Kichak,

Associate Director, Strategic Human Resources Policy Division, OPM; Elaine Duke, Under Secretary, Management, Department of Homeland Security; and public witnesses.

FY 2010 RESEARCH AND DEVELOPMENT BUDGET

Committee on Science and Technology: Held a hearing on An Overview of the Federal R&D Budget for Fiscal Year 2010. Testimony was heard from John P. Holdren, Director, Office of Science and Technology Policy.

CONSUMER PRODUCT SAFETY IMPROVEMENT ACT

Committee on Small Business: Held a hearing entitled ''The Consumer Product Safety Improvement Act and Small Business.'' Testimony was heard from Nancy A. Bird, Acting Chairman, Consumer Product Safety Commission.

EMERGENCY MANAGEMENT DISASTER RESPONSE CAPABILITIES

Committee on Transportation and Infrastructure: Held a hearing on An Independent FEMA: Restoring the Nation's Capabilities for Effective Emergency Management and Disaster Response. Testimony was heard from public witnesses.

TRANSPORTATION'S HAZARDOUS MATERIALS SAFETY PROGRAM REAUTHORIZATION

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on Reauthorization of the Department of Transportation's Hazardous Materials Safety Program. Testimony was heard from Cynthia Douglass, Acting Deputy Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; Deborah Hersman, member, National Transportation Safety Board; and public witnesses.

VETERANS APPELLATE PROCESS

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on Examining Appellate Processes and Their Impacts on Veterans. Testimony was heard from Judge Bruce E. Kasold, U.S. Court of Appeals for Veterans Claims; the following officials of the Department of Veterans Affairs: James P. Terry, Chairman, Board of Veterans' Appeals; and Ronald S. Burke, Director, Appeals Management Center, Veterans Benefits Administration; representatives of veterans organizations; and a public witness.

FEDERAL CONTRACT COMPLIANCE

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on Federal Contract Compliance. Testimony was heard from Lorenzo Harrison, Acting Deputy Assistant Secretary, Office of Federal Contract Compliance Programs, Department of Labor; Jan R. Frye, Deputy Assistant Secretary, Acquisition and Logistics, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

U.S. TRADE/INVESTMENT AGREEMENTS

Committee on Ways and Means: Subcommittee on Trade held a hearing on Investment Protections in U.S. Trade and Investment Agreements. Testimony was heard from public witnesses.

BRIEFING—INTELLIGENCE SUPPORT IN AFGHANISTAN

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Intelligence Support in Afghanistan. Testimony was head from LTG Richard Zahner, Deputy Chief of Staff, G–2, U.S. Army, Department of Defense.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MAY 15, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Robert M. Groves, of Michigan, to be Director of the Census, Department of Commerce, 9:30 a.m., SD–342.

House

Committee on Armed Services, Subcommittee on Military Personnel, hearing on the Fiscal Year 2010 National Defense Authorization Budget Request on Defense Health Program Overview, 9 a.m., 2118 Rayburn.

Subcommittee on Seapower and Expeditionary Forces, on Fiscal Year 2010 National Defense Authorization Budget Request for Department of the Navy shipbuilding acquisition programs, 10 a.m., 2212 Rayburn.

CONGRESSIONAL PROGRAM AHEAD

Week of May 18 through May 23, 2009

Senate Chamber

On *Tuesday*, at 10 a.m., Senate will resume consideration of H.R. 627, Credit Cardholders' Bill of

Rights Act, and vote on the motion to invoke cloture on Dodd/Shelby Amendment No. 1058.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: May 19, Subcommittee on Energy and Water Development, to hold hearings to examine funding and oversight of the Department of Energy, 10:15 a.m., SD–138.

May 19, Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Defense and the Department of the Navy military construction programs, 2:30 p.m., SD–138.

May 20, Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of State, 9:30 a.m., SD–192.

May 21, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the National Institutes of Health, 10:30 a.m., SD–138.

May 21, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Missile Defense Agency, 10:30 a.m., SD–124.

May 21, Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Veterans Affairs, 2 p.m., SD–124.

May 21, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Government Accountability Office, the Government Printing Office, and the Congressional Budget Office, 2:30 p.m., SD–138.

Committee on Armed Services: May 19, to hold hearings to examine the Department of the Army proposed defense authorization request for fiscal year 2010 and the Future Years Defense Program, 9:30 a.m., SH–216.

May 20, Subcommittee on Strategic Forces, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and Future Years Defense Program for military space programs; to be possibly followed by a closed session in SVC–217, 2 p.m., SR–232A.

May 20, Subcommittee on Personnel, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and Future Years Defense Program for active component, reserve component, and civilian personnel programs, 2:30 p.m., SR–222.

May 21, Full Committee, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for the Department of the Air Force, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: May 20, to hold an oversight hearing to examine the Troubled Asset Relief Program (TARP), 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: May 19, to hold hearings to examine the nominations of J. Randolph Babbitt, of Virginia, to be Administrator of the Federal Aviation Administration, and John D. Porcari, of Maryland, to be Deputy Secretary, both of the Department of Transportation, Rebecca M. Blank, of Maryland, to be Under Secretary for Economic Affairs, and Lawrence E. Strickling, of Illinois, to be Assistant Secretary for Communications and Information, both of the Department of Commerce, and Aneesh Chopra, to be Chief Technology Officer, Office of Science and Technology Policy at the Executive Office of the President, 11 a.m., SR–253.

May 21, Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine health and product safety issues associated with imported drywall, 10:30 a.m., SR–253.

May 21, Subcommittee on Science and Space, to hold hearings to examine the President's proposed budget request for fiscal year 2010 for NASA, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: May 19, business meeting to consider any pending calendar business, 2:15 p.m., SD–366.

Committee on Environment and Public Works: May 19, to hold hearings to examine business opportunities and climate policy, 10 a.m., SD–406.

May 21, Full Committee, to hold an oversight hearing to examine the Economic Development Administration, 10 a.m., SD–406.

Committee on Finance: May 19, Subcommittee on Energy, Natural Resources, and Infrastructure, to hold hearings to examine oil and gas tax provisions, focusing on the President's Fiscal Year 2010 budget proposal, 10 a.m., SD–215.

May 21, Full Committee, to hold hearings to examine The United States-Panama Trade Promotion Agreement, 10 a.m., SD–215.

Committee on Foreign Relations: May 19, to hold hearings to examine challenges and opportunities for U.S.-China cooperation on climate change, 10:15 a.m., SD–419.

May 19, Full Committee, to hold hearings to examine pathways to a green global economic recovery, 2:15 p.m., SD–419.

May 19, Full Committee, business meeting to consider pending calendar business, 2:15 p.m., S–116, Capitol.

May 20, Subcommittee on African Affairs, to hold hearings to examine developing a coordinated and sustainable strategy for Somalia, 9 a.m., SD–419.

May 20, Full Committee, to hold hearings to examine developments on the ground in Pakistan and Afghanistan, 11 a.m., SVC–217.

May 20, Full Committee, to hold hearings to examine foreign policy priorities in the President's proposed budget request for fiscal year 2010 for international affairs, 1:30 p.m., SH–216.

May 21, Full Committee, to hold hearings to examine a new strategy for Afghanistan and Pakistan, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: May 19, business meeting to consider S. 982, to protect the

public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, and any pending nominations, 10 a.m., SD–430.

May 20, Full Committee, business meeting to consider S. 717, to modernize cancer research, increase access to preventative cancer services, provide cancer treatment and survivorship initiatives, and any pending nominations, 2:30 p.m., SD–430.

Committee on Homeland Security and Governmental Affairs: May 19, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine public health challenges in our nation's capital, 2:30 p.m., SD–342.

May 21, Full Committee, to hold hearings to examine financial regulatory lessons from abroad, 2 p.m., SD–342.

Committee on Indian Affairs: May 21, to hold hearings to examine executive branch authority to acquire trust lands for Indian tribes, 2:15 p.m., SD–628.

Committee on the Judiciary: May 19, Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine protecting Americans, focusing on holding foreign manufacturers accountable, 10 a.m., SD–226.

May 19, Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine the Discount Pricing Consumer Protection Act, focusing on a ban on vertical price fixing, 2:30 p.m., SD–226.

May 20, Subcommittee on Immigration, Refugees and Border Security, to hold hearings to examine securing the border and America's points of entry, 10 a.m., SD–226.

May 20, Subcommittee on Crime and Drugs, to hold hearings to examine criminal prosecution as a deterrent to health care fraud, 2:30 p.m., SD–226.

May 21, Full Committee, business meeting to consider S. 417, to enact a safe, fair, and responsible state secrets privilege Act, S. 257, to amend title 11, United States Code, to disallow certain claims resulting from high cost credit debts, S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, the nominations of Thomas E. Perez, of Maryland, to be Assistant Attorney General, Civil Rights Division, Department of Justice, David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit, Andre M. Davis, of Maryland, to be United States Circuit Judge for the Fourth Circuit, and committee's subcommittee assignments, 10 a.m., SD–226.

Committee on Veterans' Affairs: May 21, business meeting to mark up pending legislation, 9:30 a.m., SR–418.

Select Committee on Intelligence: May 19, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., S–407, Capitol.

May 21, Full Committee, to hold hearings to examine the nominations of Stephen Woolman Preston, of the District of Columbia, to be General Counsel of the Central Intelligence Agency, and Robert S. Litt, of Maryland, to be General Counsel of the Office of the Director of National Intelligence, 2:30 p.m., SH–216.

Special Committee on Aging: May 20, to hold hearings to examine pension plans, 2 p.m., SR–432.

May 21, Full Committee, to hold hearings to examine the role of small business in stimulus contracting, 10 a.m., SR–428A.

House Committees

Committee on Agriculture, May 21, hearing to review low carbon fuel standard proposals, 10:30 a.m., 1300 Longworth.

Committee on Appropriations, May 18, Select Intelligence Oversight Panel, executive, on National Intelligence Program and Military Intelligence Program, 5 p.m., H–140 Capitol.

May 19, Subcommittee on Financial Services, General Government and Related Agencies, on IRS, 10 a.m., and on National Archives, 2 p.m., room to be announced.

May 19, Subcommittee on Interior, Environment and Related Agencies, on EPA, 9:30 a.m., 2359 Rayburn.

May 19, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Department of Defense Overview, 10 a.m., H–143 Capitol.

May 20, Subcommittee on Defense, on Department of Defense, 12:30 p.m., 210 HVC.

May 20, Subcommittee on Financial Services, General Government, and Related Agencies, on OMB, 2 p.m., 2359 Rayburn.

May 20, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Air Force Budget, 10 a.m., H–143 Capitol.

May 20, Subcommittee on State, Foreign Operations and Related Programs, on U.S. Agency for International Development, 9:30 a.m.; on Millennium Challenge Corporation, 10:30 a.m.; and on Office of Global AIDS Coordinator, 11:30 a.m., room to be announced.

May 20, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Member Requests, 10 a.m., 2358–A Rayburn.

May 21, Subcommittee on Defense, on Defense Health Program, 10 a.m., H–140 Capitol.

May 21, Subcommittee on Energy and Water Development, and Related Agencies, on National Nuclear Security Administration (NNSA): Nuclear Nonproliferation and Weapons, 10 a.m., 2362–B Rayburn.

May 21, Subcommittee on Financial Services, General Government and Related Agencies, on Treasury Department, 10 a.m., 2359 Rayburn.

May 21, Subcommittee on Interior, Environment, and Related Agencies, on U.S. Geological Survey, 1:30 p.m., B–308 Rayburn.

Committee on Armed Services, May 19, hearing on the Fiscal Year 2010 National Defense Authorization Budget Request from the Department of the Air Force, 10 a.m., 2118 Rayburn.

May 19, Defense Acquisition Panel, hearing on Measuring Performance: Developing Good Acquisition Metrics, 8 a.m., 2212 Rayburn.

May 19, Subcommittee on Seapower, and Expeditionary Forces, hearing on Fiscal Year 2010 National Defense Authorization Budget Request for the Department of the Navy Aviation Programs, 3 p.m., 2212 Rayburn.

May 20, Subcommittee on Air and Land Forces, hearing on Fiscal Year 2010 National Defense Authorization

Budget Request for Air Force Modernization Programs, 2:30 p.m., 2118 Rayburn.

May 20, Subcommittee on Oversight and Investigations, hearing on Another Crossroads? Professional Military Education Twenty Years after the Goldwater-Nichols Act and the Skelton Panel, 1 p.m., 2118 Rayburn.

May 20, Subcommittee on Readiness, hearing on Fiscal Year 2010 National Defense Authorization Budget Request for the Military Services' Operations and Maintenance Funding, 10 a.m., 2118 Rayburn.

May 20, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Fiscal Year 2010 National Defense Authorization Budget Request for Department of Defense Science and Technology Programs, 10:30 a.m., 2212 Rayburn.

May 21, Subcommittee on Air and Land Forces, hearing on Fiscal Year 2010 National Defense Authorization Budget Request for Army Acquisition, Reset, and Modernization Programs, 10 a.m., 2118 Rayburn.

May 21, Subcommittee on Military Personnel, hearing on Fiscal Year 2010 National Defense Authorization Budget Request on Military Personnel Overview, 2 p.m., 2212 Rayburn.

May 21, Subcommittee on Strategic Forces, hearing on Fiscal Year 2010 National Defense Authorization Budget Request for National Security Space and Missile Defense Programs, 2 p.m., 2118 Rayburn.

Committee on the Budget, May 21, hearing on the State of the Economy, 10 a.m., 210 Cannon.

Committee on Education and Labor, May 19, hearing on Examining the Abusive and Deadly Use of Seclusion and Restraint in Schools, 10 a.m., 2175 Rayburn.

May 20, hearing on The Obama Administration's Education Agenda, 10 a.m., 2175 Rayburn.

May 21, hearing on Increasing Student Aid Through Loan Reform, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, May 18, to mark up the American Clean Energy and Security Act of 2009, 1 p.m., 2123 Rayburn.

May 18, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled ''Auto Safety: Existing Mandates and Emerging Issues,'' 2 p.m., 2123 Rayburn.

Committee on Financial Services, May 19, hearing entitled ''Capital Loss, Corruption and the Role of Western Financial Institutions,'' 10 a.m., 2128 Rayburn.

May 19, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Approaches to Improving Credit Rating Agency Regulation,'' 2 p.m., 2128 Rayburn.

May 20, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''H.R. 2351, Credit Union Share Insurance Stabilization Act,'' 2 p.m., 2128 Rayburn.

May 21, Subcommittee on Housing and Community Opportunity, hearing entitled ''The Section 8 Voucher Reform Act,'' 2:30 p.m., 2128 Rayburn.

Committee on Foreign Affairs, May 20, to mark up the Foreign Relations Authorization Act, Fiscal Years 2010 and 2011, 10 a.m., 2172 Rayburn.

Committee on House Administration, May 21, hearing on Military and Overseas Voting: Obstacles and Potential Solutions, 10 a.m., 1539 Longworth.

Committee on the Judiciary, May 20, oversight hearing on the Federal Bureau of Investigation, 10 a.m., 2141 Rayburn.

May 21, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Unfairness in Federal Cocaine Sentencing: Is It Time To Crack the 100 to 1 Disparity? and to consider the following bills: H.R. 1459, Fairness in Cocaine Sentencing Act of 2009; H.R. 1466, Major Drug Trafficking Prosecution Act of 2009; H.R. 265, Drug Sentencing Reform and Cocaine Kingpin Trafficking Act of 2009; H.R. 2178, Crack-Cocaine Equitable Sentencing Act of 2009; and H.R. 18, Powder-Crack Cocaine Penalty Equalization Act of 2009, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, May 19, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on Implementation of Public Law 110–229 to the Commonwealth of the Northern Mariana Islands and Guam, 10 a.m., 1324 Longworth.

May 20, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on advance of the 61st meeting of the International Whaling Commission (IWC) to be held in Madeira, Portugal June 22–26, 1 p.m., 1324 Longworth.

May 21, Subcommittee on National Parks, Forests and Public Lands, oversight hearing on the Future of the Forest Economy, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, May 19, Subcommittee on Government Management, Organization, and Procurement, hearing entitled ''The State of Federal Information Security,'' 9 a.m., 2247 Rayburn.

May 19, Subcommittee on Oversight, hearing entitled ''ONDCP's Fiscal Year 2010 National Drug Control Budget and the Priorities, Objectives, and Policies of the Office of National Drug Control Policy under the New Administration,'' 2 p.m., 2154 Rayburn.

May 20, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, to consider the following bills: H.R. 22, To amend chapter 89 of title 5, United States Code, to allow the United States Postal Service to pay its share of contributions for annuitants' health benefits out of the Postal Service Retiree Health Benefits Fund; and H.R. 1345, District of Columbia Hatch Act Reform Act of 2009, 9:30 a.m., 2154 Rayburn.

May 21, full Committee, oversight hearing entitled ''The Future of the V–22 Osprey: Costs, Capabilities, and Challenges,'' 10 a.m., 2154 Rayburn.

May 21, Subcommittee on Information Policy, Census, and National Archives, hearing entitled ''Stakeholders' Views on the National Archives and Records Administration (NARA),'' 2 p.m., 2154 Rayburn.

Committee on Rules, May 18, Subcommittee on Rules and Organization of the House, hearing on H.R. 2297, The White House Conference on Food and Nutrition, 3 p.m., H–313 Capitol.

Committee on Science and Technology, May 19, hearing on NASA's Fiscal Year 2010 Budget Request, 2 p.m., 2318 Rayburn.

May 19, Subcommittee on Investigations and Oversight, hearing on the Science of Insolvency, 10 a.m., 2318 Rayburn.

May 20, full Committee, to consider pending business, 10 a.m., 2318 Rayburn.

Committee on Small Business, May 20, hearing entitled ''Heroes of Small Business,'' 10 a.m., 2360 Rayburn.

May 21, Subcommittee on Regulations and Healthcare, hearing entitled ''Impacts of Outstanding Regulatory Policy on Small Biofuels Producers and Family Farmers,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, May 19, Subcommittee on Water Resources and Environment, hearing on Recommendations of the National Committee on Levee Safety, 2 p.m., 2167 Rayburn.

May 20, Subcommittee on Aviation, hearing on Aviation Consumer Issues: Emergency Contingency Planning and Outlook for Summer Travel, 2 p.m., 2167 Rayburn.

May 20, Subcommittee on Coast Guard and Maritime Transportation, hearing on Piracy Against U.S.-Flagged Vessels: Lessons Learned, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, May 19, Subcommittee on Health, hearing on VA Medical Care: The Crown Jewel and Best Kept Secret, 2 p.m., 334 Cannon.

May 19, Subcommittee on Oversight and Investigations, hearing on Gulf War Illness Research: Is Enough Being Done? 10 a.m., 334 Cannon.

May 20, full Committee, hearing on the Growing Needs of Women Veterans: Is the VA Ready? 10 a.m., 334 Cannon.

May 21, Subcommittee on Economic Opportunity, hearing on the following bills: H.R. 1037, Pilot College Work Study Programs for Veterans Act of 2009; H.R. 1098, Veterans Worker Retraining Act of 2009; H.R. 1168, Veterans Retraining Act of 2009; H.R. 1172, To direct the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs a list of organizations that provide scholarships to veterans and their survivors; H.R. 1821, Equity for Injured Veterans Act of 2009; H.R. 1879, National Guard Employment Protection Act of 2009; and H.R. 2180, To amend title 38, United States Code, to waive housing loan fees for certain veterans with service-connected disabilities called to active service, 1 p.m., 340 Cannon.

Committee on Ways and Means, May 19, Subcommittee on Social Security, hearing on Social Security Administration's (SSA's) employment support programs for disability beneficiaries including the Ticket to Work Program, 2 p.m. 1100 Longworth.

May 21, Subcommittee on Select Revenue Measures, hearing on issues involving tax-exempt and taxable governmental bonds, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, May 19, Subcommittee on Intelligence Community Management, hearing on GAO's upcoming report on security clearance reform, ''Personnel Security Clearances,'' 10 a.m., 2253 Rayburn.

Joint Meetings

Joint Economic Committee: May 20, to hold hearings to examine oil and the economy, focusing on the impact of rising global demand on the United States recovery, 10 a.m., 210, Cannon Building.

Next Meeting of the SENATE

2 p.m., Monday, May 18

Senate Chamber

Program for Monday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

1 p.m., Friday, May 15

House Chamber

Program for Friday: The House will meet in pro forma session at 1 p.m.

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