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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 15, 2009.

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

THE ECONOMY AND ENERGY

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, among the most important issues facing us today are the twin issues of the economy and energy. And unfortunately, in this body and across the other Chamber, we often discuss those two issues separately, as if they had no connection with one another; and yet they have a very, very important link with one another.

When the economy is down, it has an impact on the energy, and when energy prices go up or when energy prices go down, it has an immediate impact on the economy. The strange thing is that as we look at an energy policy that's going to be presented to us by way of a bill from the majority shortly, there appears to be a lack of appreciation for changes in energy policy and their impact on our economy. There seems to be some sort of question as to whether or not we ought to exercise our responsibilities to utilize those energy sources that are most abundant in these United States.

Coal appears to be one of those things that we're going to wrap up, close up, put on the shelf, not allow ourselves to use it. Rather than a real effort for clean coal energy, there appears to be an effort to try and demonize coal and not allow it to be utilized. That makes about as much sense as Saudi Arabia making an announcement tomorrow that they're going to close off all of their production of petroleum. Why do I say it makes about as much sense? Because we are the Saudi Arabia of coal.

Similarly, with tar sands, shale oil, those sorts of things that we have in abundance in North America, we appear to be saying we ought not to take a look at those.

Similarly, we have abundant sources of petroleum offshore: offshore my State of California, offshore some of our other States in this Union. And yet we have a policy which basically says we ought not to utilize American technology, which has been utilized around the world, to safely extract petroleum.

If you look at my State in California, you go to Santa Barbara, you will see historically there have been leaks from the bottom of the ocean there because of the pressure, because of the petroleum that lies under the ocean floor. We can actually take some of that pressure off by drilling and producing there.

Lastly, I would say someone would have to be a hermit somewhere, stuck in a cave, not to understand that we have a terrible economic problem in California, a terrible problem with our budget, terrible deficits. And one of the ways that we could achieve some sort of stability with our budget in California, our State budget, would be to allow offshore drilling and take those royalties that would come to the State as a result of having that offshore drilling, bringing those moneys into the State Treasury.

We would do two things. We would help increase the security of this Nation with respect to energy on the one hand because this would be U.S. energy production; and secondly, we would have royalties going to the State of California in the billions of dollars, helping take off some of the pressure that we have currently as to which services we're going to cut. Classroom size is going up in the State of California. There are the suggestions that a lot of services will be cut, some severely, and yet we continue to turn a blind eye to the possibility of environmentally safe extraction of petroleum products offshore.

As one who basically was born just a stone's throw from the ocean, who lived the first half of my life—actually, more than that—the first 42 years as a resident of Long Beach, California, as someone who enjoys the beauty of my home State and the beauty of the coastline, I also understand that American technology, American ingenuity, American creativity that's applied elsewhere in the world can be applied here in the United States to produce energy.

Why will we have an energy policy brought forward on this floor that ignores some of the most abundant sources of energy for this Nation makes no sense to me. Surely I support the alternative sources of energy, wind and solar; the traditional ones of hydroelectric, thermal power. But we cannot forget the abundance of natural resources we have in this country.

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RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARNAHAN) at 2 p.m.

PRAYER

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

As people of faith, we often pray to You, Lord God Almighty, out of a sense of need.

Aware of our personal limitations physically and emotionally, each of us cries out in frustration to You as our refuge and as healer. Prayer helps us, whether we are leaders or just ordinary Americans, to live our lives with greater integrity and meet our daily responsibilities.

Sometimes we are more conscious of our common needs. It is then prayer helps us identify with one another, feel compassion toward others in need and pray for them. We all desire peace of heart, health, and wisdom, as well as prudence, to make the right decisions needed each day whether we are in public service or work in the private sector.

In all cases, through prayer, Lord, You help us to see ourselves more honestly and suspend judgment of others so we can work together and more freely give You the glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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.

HEALTH CARE

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

Ms. FOXX. Mr. Speaker, the health care debate has begun in Washington and across the country. Unfortunately, the plan Democrats have in store for the American people will do little to improve our health care situation. In fact, it will make the problem worse.

When Democrats talk about health care reform, what they really mean is a government takeover of health care. With few details available, some reports suggest the plan for this government takeover will cost upwards of $1.2 trillion. As Robert Samuelson noted in today's Washington Post, all of this new Federal spending still will not fix the ''crux of our health care dilemma.''

The American people deserve a plan that makes health care more affordable and accessible to all and that allows those who like their current health care coverage to keep it.

While Democrats support raising taxes and rationing care, Republicans support health care reform that controls spending and that ensures patients and doctors make health care decisions, not a bunch of bureaucrats in Washington.

RECOGNIZING THIS WEEK AS HIGH-PERFORMANCE BUILDING WEEK

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

Mr. CARNAHAN. Mr. Speaker, last week, the House passed House Resolution 492, recognizing this week as High-Performance Building Week. The resolution aims to provide greater public awareness about the benefits of high-performance buildings, and it works to increase education about the impact buildings have on our environment.

Each year, our homes, offices, schools, and other buildings consume 70 percent of our electricity, 60 percent of all raw materials, and they emit 40 percent of all CO_2 emissions in the U.S. By designing and building high-performance buildings, we reduce energy consumption and our carbon footprint. We save both water and raw materials. We save demolition and construction debris from going into landfills. Most importantly, high-performance building construction creates good-paying jobs that give workers the valuable skills they need to excel in a clean energy economy.

It is my hope that Members will use this week to highlight the importance that buildings have on our environment and for Congress to continue to support future research, development and the deployment of high-performance building technologies.

EMPOWER PATIENTS, NOT GOVERNMENT

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

Mr. WILSON of South Carolina. Mr. Speaker, President Obama and his Democrat allies in Congress have said that they want those who currently like their health care plans to keep them. Then they publicly endorse a government-run health care insurance plan that would crowd out and eliminate the private insurance plans millions of Americans currently enjoy. They cannot have it both ways.

The Democrat big government proposals claim to increase access and affordability by letting government determine what will and will not be paid for. As the only game in town, a government insurance plan would be the sole provider and decider of the quality of health care available. Conversely, Republicans have long argued that health care reform should focus on expanding access so more Americans can afford a higher quality of care.

We should be focused on empowering more individuals and families to afford the level of care they want. If Congress chooses to empower the government and itself in crafting a new government-run insurance plan, it will directly undermine the doctor-patient relationship that is the foundation of quality American health care.

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

HONORING THE SERVICE OF FAYETTEVILLE SUPERINTENDENT, MR. BOBBY NEW

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor Mr. Bobby New, who has devoted his life to the education of our youth. Mr. New is retiring from 35 years of public education, 13 of which were as the superintendent of the Fayetteville School District.

During his time as superintendent, he provided the school district with the ideas and the innovation required for a growing area, including updating the grading structure and increasing technology throughout the district.

We are blessed to have educational professionals like Mr. New. I commend him for his service as a superintendent of the Fayetteville Public Schools, for his passion in educating our youth and for his commitment to improving our schools. I wish him success in his future endeavors.

Today, I ask my colleagues to join me in honoring Mr. New, an educator and friend whose continued devotion to the Third District of Arkansas has not gone unnoticed and will never be forgotten.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote on the yeas and nays are ordered, or on

which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

PROVIDING ADDITIONAL AUTHORITIES TO SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 615) to provide additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 615

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

SECTION 1. ADDITIONAL PERSONNEL AUTHORITIES FOR THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.

Section 1229(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 381) is amended by striking paragraph (1) and inserting the following:

''(1) PERSONNEL.—

''(A) IN GENERAL.—The Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Inspector General, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

''(B) ADDITIONAL AUTHORITIES.—

''(i) IN GENERAL.—Subject to clause (ii), the Inspector General may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of that section).

''(ii) PERIODS OF APPOINTMENTS.—In exercising the employment authorities under subsection (b) of section 3161 of title 5, United States Code, as provided under clause (i) of this subparagraph—

''(I) paragraph (2) of that subsection (relating to periods of appointments) shall not apply; and

''(II) no period of appointment may exceed the date on which the Office of the Special Inspector General for Afghanistan Reconstruction terminates under subsection (o).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of Senate bill 615, legislation that provides critical personnel authority for the Special Inspector General for Afghanistan, known as SIGAR.

Since 2001, the United States has devoted $32 billion in humanitarian and reconstruction assistance to Afghanistan. In an effort to combat waste, fraud and abuse with regard to the expenditure of these funds, Congress created the Special Inspector General for Afghanistan Reconstruction, commonly known as SIGAR, in the National Defense Authorization Act of 2008.

That legislation empowers SIGAR to conduct audits, inspections, and investigations of all U.S. assistance programs in Afghanistan. Congress intended that SIGAR would exercise its authority swiftly. It came into existence in July of 2008 with an authorization to hire 18 auditors, 13 inspectors and 3 investigators; but from the beginning, SIGAR has been hindered by certain limitations contained in standard Federal Government personnel authorities and by the difficulty of attracting qualified candidates to work in the difficult security environment of Afghanistan. A year after its creation, SIGAR has conducted only one independent audit and has only hired nine auditors, five inspectors and three investigators.

This resolution would help resolve this problem by granting SIGAR a special hiring authority under 5 U.S.C., section 3161. Section 3161 would allow SIGAR a more flexible, excepted service authority and would empower the office to select, appoint, and employ the necessary staff to fulfill its duties. In particular, section 3161 would grant return rights to Federal employees, provide interagency detail authority and permit the setting of pay rates above the caps established by GS–15, step 10, under which SIGAR is currently required to operate.

This has proven to be a vital asset for SIGAR's counterpart in Iraq, SIGIR, which has long relied upon this enhanced hiring authority to attract its dedicated core of professional staff.

After conducting an in-depth review, the Department of Defense and the Office of Personnel Management have concluded that the proposed legislation is necessary to allow SIGAR to meet its responsibilities.

□ 1415

This bill represents a vital step in allowing SIGAR to fulfill its critical duties of the oversight of U.S. assistance programs in Afghanistan. I support the bill and urge my colleagues to support it as well.

I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of this legislation. The United States has committed over $30 billion in assistance to Afghanistan since 2001, and with the President's stated intention to increase the size and scope of our efforts, it is necessary that we provide all of our inspectors general operating in Afghanistan the authorities and resources necessary to mitigate fraud, waste, and abuse in these programs. However, the Office of the Special Inspector General for Afghanistan Reconstruction, or SIGAR, currently lacks such authorities and resources.

Despite its establishment nearly 1 year ago, SIGAR officials have reportedly had difficulty hiring individuals for this unique and challenging assignment, and the staffing shortfall has contributed to the lack of an independent audit or investigation by the office thus far.

This legislation would amend the National Defense Authorization Act for fiscal year 2008 to provide to SIGAR personnel authorities similar to those given to the Special Inspector General for Iraq Reconstruction. The legislation would expedite the standard hiring process for civil service provisions by permitting SIGAR to use employment authorities granted to heads of temporary organizations. Such authorities allow organizations to hire staff for limited terms, notwithstanding the requirements normally applicable to civil service positions.

This legislation is intended to help the SIGAR quickly hire experienced, well-qualified employees to conduct necessary oversight of reconstruction efforts in Afghanistan. Employees hired under this new authority could serve until the termination of the SIGAR office.

I strongly urge my colleagues to support this legislation which gives the SIGAR additional hiring authorities to facilitate his ability to quickly hire experienced, well-qualified employees to fill critical positions.

I reserve the balance of my time.

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

I thank my good friend, the gentleman from Florida, for his comments in support of this legislation. And I do also want to thank the gentlelady, the good Senator from Maine, Senator COLLINS, for her authorship to this bill. Thirty-two billion dollars is no pennies certainly to be given some sense of responsibility in knowing where the American taxpayers' money has gone in terms of the appropriations and the funding that we've given to Afghanistan and as well as to any other country, for that matter.

So again, I really commend the gentlelady, the good Senator from Maine, Senator COLLINS, for her authorship of this bill, and I thank my good friend from Florida also in helping us manage this bill on the floor.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to thank you for your leadership in bringing this legislation to the floor today. I want to also thank Senator COLLINS for introducing this legislation in the Senate.

Mr. Speaker, I stand here today to support Amending the National Defense Authorization

Act for Fiscal Year 2008 to authorize the Special Inspector General for Afghanistan Reconstruction (SIGAR) to exercise certain employment and employment-related authorities currently permitted for the heads of temporary organizations established by law or executive order.

As a member of the Homeland Security Committee, and Co-Chair of the US-Afghan Caucus, I am deeply concerned about this matter and want to ensure that the Inspector General's staffing needs are fulfilled in order for him to successfully carry out the responsibilities of his position. In order to be successful in Afghanistan and defeat the insurgents, we must make sure that we have a fully staffed SIGAR who is able to complete the duties of his position in a timely and accurate manner. The security of our troops and the success of our mission in Afghanistan depends upon it.

Since 2001, the U.S. has provided approximately $32 billion in humanitarian and reconstruction assistance to Afghanistan. In addition, the international community has provided a further $25.3 billion for the rebuilding of Afghanistan. Since its inception in 2001, the SIGAR's mission has been to enhance oversight of programs for the reconstruction of Afghanistan by conducting independent and objective audits, inspections, and investigations on the use of taxpayer dollars and related funds by keeping the Congress, as well as the Secretaries of State and Defense, currently informed of reconstruction progress and weaknesses.

Amending this defense bill reflects our commitment to support the men and women who fight to secure not only our citizen's freedom but the freedom of others. This bill will provide the necessary resources to protect the American people and our national interests at home and abroad. With this extended personnel authority, the SIGAR has now become a formidable and compelling instrument to make oversight of reconstruction efforts in Afghanistan a reality.

Mr. BILIRAKIS. I yield back my time.

Mr. FALEOMAVAEGA. I yield my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the Senate bill, S. 615.

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

A motion to reconsider was laid on the table.

EXPRESSING CONDOLENCES TO ITALIAN EARTHQUAKE VICTIMS

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 430) expressing condolences to the citizens of Italy and support for the Government of Italy in the aftermath of the devastating earthquake that struck the Abruzzo region of central Italy, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 430

Whereas, in the early morning hours of April 6, 2009, a 6.3 magnitude earthquake struck the Abruzzo region of central Italy, killing over 250 people, damaging or destroying up to 15,000 buildings, and leaving tens of thousands homeless;

Whereas the epicenter of the quake was the town of L'Aquila, located 60 miles northeast of Rome, and massive destruction was reported in 26 surrounding cities, towns, and villages;

Whereas rescue workers, who heroically pulled over 100 survivors from the rubble, continued to find survivors amongst the wreckage days after the quake struck;

Whereas strong aftershocks continued to rock the region and created hazardous conditions for residents and rescue workers;

Whereas this was Italy's deadliest quake since 1980;

Whereas the earthquake damaged centuries old landmarks including churches and castles;

Whereas humanitarian aid agencies in the United States and around the world mobilized to provide much needed assistance to the relief and recovery efforts;

Whereas President Barack Obama expressed his condolences, and those of the people of the United States, to families that have lost loved ones and assured Italian Prime Minister Berlusconi that the United States stood ready to help Italy at this time of need; and

Whereas Prime Minister Berlusconi said that Italy would accept the support offered by President Obama and would devote it to preserving the region's cultural and artistic heritage and educational institutions: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the loss of life and expresses its deepest condolences to the families of those killed and injured in the earthquake;

(2) recognizes the deep ties between the United States and Italy and expresses continued solidarity with the people of Italy during this time of crisis;

(3) applauds the courageous response of Italian rescue workers;

(4) supports President Obama's offer of United States assistance to Italy in response to this catastrophic event;

(5) urges the people of the United States to generously support those humanitarian aid agencies working to assist the people of Italy in this time of need;

(6) commends the many United States organizations, including the National Italian-American Foundation, working to demonstrate support and solidarity with the Italian people and raising funds to provide needed help; and

(7) expresses gratitude to the people of the United States who have generously supported those humanitarian aid agencies working to assist the people of Italy in this time of need.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material in the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of this resolution which expresses condolences to the citizens and the Government of Italy in the aftermath of the devastating earthquake in the Abruzzo region.

Mr. Speaker, I wish to thank my good friend and my colleague, Mr. PASCRELL from the great State of New Jersey, for introducing this important resolution that allows the House to add its voice to the international outpouring of sympathy for the Italian people in the wake of this natural disaster.

On April 6, the Abruzzo region of central Italy was struck by a 6.3 magnitude on the Richter scale earthquake. Nearly 300 people were killed while tens of thousands were left homeless. In addition to the terrible loss of life and livelihood, the earthquake damaged nearly 15,000 buildings, including hundreds of churches, castles, and heritage sites.

The U.S. Embassy in Rome immediately provided $50,000 in emergency relief funding while President Obama expressed his condolences and offered additional American assistance. Italian Prime Minister Berlusconi, the host of the next G–8 meeting, has relocated the July summit to the town of L'Aquila that was at the center of the devastation. As he explained, ''The G–8 in L'Aquila represents the message of hope for the entire region struck by the earthquake.''

It is appropriate that the House pauses today, Mr. Speaker, as Prime Minister Berlusconi is in Washington, DC, to express its deepest condolences to the families killed and injured in the earthquake. We also reaffirm the deep ties shared between our people and two countries. I strongly support this resolution, and I urge all of my colleagues to do likewise.

I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in support of this resolution which expresses our condolences and sympathy for the people of Italy following the terrible loss of life which occurred in the central Abruzzo region last April which was struck by a powerful earthquake. Tragically, the 6.3 magnitude earthquake, which struck in the early morning of April 6, killed over 250 people. Tens of thousands more were left homeless as their family properties were destroyed. Over 15,000 buildings rich in culture and history were obliterated in just moments by the powerful shocks.

I note that despite the danger from the strong aftershocks after the earthquake, heroic Italian rescue workers

nevertheless entered the unstable buildings at risk to themselves and pulled hundreds of survivors to safety.

Mr. Speaker, when we think of Italy, our first thoughts are of the beauty, the history, the culture, and especially the warmth and kindness of its people. As a Nation, America also has a tremendous affinity for Italy since our country has been greatly enriched by those Italian immigrants who came to our shores, became part of our American Nation, and contributed so much to our culture and economic prosperity. And so in the wake of that immense disaster, Americans mourned in sympathy with the people in Italy over their tremendous loss and committed to stand with them as they work to rebuild and recover.

I'm pleased to support this resolution which expresses our deepest condolences to the Italian people and note that with the support of American citizens, humanitarian organizations are continuing to provide assistance in the rebuilding of those cities that were affected by the earthquake. I urge my colleagues to support passage of this resolution.

I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman has 18½ minutes.

Mr. FALEOMAVAEGA. At this time, I yield all of the time that he may want to consume to my good friend and colleague and the author of this legislation, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Thank you, Mr. Chairman.

Mr. Speaker, just a short while ago I returned from Afghanistan. The fifth largest contingency in NATO is from Italy, so we have many reminders through history and specifically now of what our relationship is between the United States and Italy. So we rise to support this resolution, H. Res. 430, expressing our deepest sympathies to the citizens of Italy.

This earthquake was devastating, Mr. Speaker. It ruined a large part of the Abruzzo part of Italy. The magnitude of this earthquake is understood by many Americans. The university town of L'Aquila, along with 26 other surrounding cities, towns, and villages, suffered massive destruction. You already have heard of how many people were killed; 15,000 buildings destroyed. They were historic. They were cultural landmarks. Seventy thousand people were displaced. So we extend our deepest sympathies. The homes and churches can be rebuilt, but we can never replace loved ones.

Despite the aftershocks that continued to devastate the region for days after, rescue workers demonstrated true heroism by pulling over 100 survivors from the wreckage. Their efforts, along with those of humanitarian aid organizations around the globe who continue to work tirelessly to return people to their homes and rebuild the region, deserve commendation. After traveling to Italy earlier this year, I can attest to the resiliency and the strength of the Italian people. And I remind us again of the 2,350 troops that fight alongside our brave men and women in Afghanistan.

It is trying times like these that allow us to recognize the deep and binding ties between our nations, the United States of America and Italy. This tragedy only brings our two nations closer together.

I would like to take this opportunity to sincerely thank the many organizations in the United States, including the National Italian American Foundation, NIAF, who are continuously working to raise funds to aid the rebuilding efforts in Abruzzo. The Italian American community's support and solidarity with the nation of Italy has only increased in the aftermath of this natural disaster.

I also want to commend the Italian Ambassador, Giovanni Castellaneta, for his leadership and commitment to the Italian American community.

I urge my colleagues to join me in passing this resolution to offer our sincere condolences to the nation of Italy for its tremendous loss as well as pledge our continued support to the Italian Government. I will do so also this afternoon when I greet President Berlusconi.

The G–8 summit is being held July 8, 9, and 10, and that has been moved to L'Aquila in the Abruzzo region to redirect funding to that region to help with the general reconstruction. Canada, France, Germany, Japan, Russia, the United Kingdom, the United States, of course, and our President, President Obama, will be there with our Italian friends.

I urge the passage of this legislation. I want to thank the chairman and the Speaker. I want to thank the ranking member for all of your courtesies. This is something we need to get involved in, to commend American organizations for reaching out to our brothers and sisters.

Ms. PELOSI. Mr. Speaker, today the Congress expresses its deepest condolences for those who suffered because of the earthquake in Abruzzo in April, and the Congress expresses its strongest support for Italy as it rebuilds from this crisis.

Soon after this disaster struck, I called Prime Minister Berlusconi on behalf of my colleagues in the Congress to express our deepest condolences to the families and loved ones of those lost. President Obama and other leaders from around the world have offered assistance to those affected. Prime Minister Berlusconi and the Italian government have the steadfast support of the American people as they help the people of Abruzzo rebuild.

As someone who can trace my family's roots back to Venice, Genoa, Campobasso, Sicily, and Abruzzo, I am personally committed to ensuring that the United States provides all possible assistance.

In 1980, I had the opportunity to visit Southern Italy in the aftermath of another earthquake as part of a U.S. delegation. I saw firsthand the courage of the Italian people in the face of a similar tragedy. The world saw Italy emerge from this crisis stronger than before.

America is a land discovered by an Italian, named for an Italian, and built by millions of Italian Americans.

The bond between the United States and Italy is uniquely strong because of the vital role daughters and sons of Italy have played in the United States from its discovery to today.

Today, we mourn those lost in Abruzzo and those struggling to rebuild their lives. And today, as in times of both crisis and calm, we stand beside each other as allies and friends.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 430, "Expressing condolences to the citizens of Italy and support for the Government of Italy in the aftermath of the devastating earthquake that struck the Abruzzo region of central Italy," which was introduced by my distinguished colleague Representative PASCRELL. This legislation is important to ensure that we remember those who lost their lives in this tragic natural disaster.

On April 6, 2009, an earthquake with a magnitude of 6.3 shook central Italy, causing serious damage in the mountainous Abruzzo region east of Rome. This is the worst earthquake in Italy since a 6.9-magnitude earthquake struck Eboli, south of Naples, in 1980, killing more than 2,700 people.

The earthquake caused damage to between 3,000 and 11,000 buildings, the majority of which are in the medieval city of L'Aquila and the surrounding villages. 297 people were killed by the earthquake, 20 of which were children, and approximately 1,000 people were injured. 66,000 people were made homeless. Nearly 11,700 rescue workers provided emergency relief.

Texas is no stranger to the effects of a natural disaster. In 2008, Hurricane Ike, which was the third most destructive hurricane to ever make landfall in the United States, caused the deaths of 37 people while dozens are still missing. In Houston, eight deaths have been blamed on Hurricane Ike.

Texas sustained major damage due to Hurricane Ike: an estimated 100,000 homes were flooded; many trees were uprooted; bus stop shelters were mangled; Houston's theater district was flooded; flights in and out of Houston's two major airports were suspended; most of Houston's roads were clogged for nearly two weeks; and many residents remained without power for several weeks after the hurricane. As the representative from Houston, I can truly sympathize with the Italian people and express my sincere sympathy to every life that was touched by this tragedy.

Additionally, this legislation mourns the loss of life and expresses condolences to the families of those killed and injured in the earthquake that struck the Abruzzo region of Italy. It also applauds the response of Italian rescue workers, recognizes the deep ties between the United States and Italy and expresses continued solidarity with the people of Italy during this time of crisis.

Furthermore, this legislation supports President Obama's offer of U.S. assistance to Italy in response to this event and expresses gratitude to the people of the United States who have supported those humanitarian aid agencies working to assist the people of Italy in this

time of need. The U.S. Embassy in Rome has provided $50,000 in emergency relief funding and President Obama has pledged to devote resources to preserving the region's cultural and artistic heritage. Additionally, as part of the U.S. effort to support the Italian people, the U.S. Department of State and the National Italian American Foundation (NIAF) formed a public-private partnership to respond to the educational needs of the University of L'Aquila, and will strive to help the students and other human resource needs. The students are key to the future of the region, and the University is the economic lifeblood of the city of L'Aquila. It is therefore vital to help this sector recover in this time of need.

The Abruzzo earthquake is a tragedy that has affected lives all over the world, the least we can do as a Congress, and as a nation, is to recognize those involved in this tragedy and those who are helping Italy to rebuild. We cannot withhold this honor from those victims that perished in the tragedy. As honored Members of Congress, we have the opportunity to ensure that proper recognition is given to those involved in the earthquake.

I firmly believe that we must pass this legislation in order to demonstrate our support of those people who lost their lives and those people who lost their loved ones, and I urge my colleagues to do the same.

Mr. BILIRAKIS. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 430, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1430

CALLING ON NORTH KOREA TO END HOSTILE RHETORIC AND ACTIVITY TOWARD SOUTH KOREA

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 309) expressing the sense of the House of Representatives that North Korea should immediately stop any hostile rhetoric and activity towards the Republic of Korea and engage in mutual dialogue to enhance inter-Korean relations, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 309

Whereas North Korea's nuclear tests and missile activities, and their suspected proliferation, are threatening peace and stability in Northeast Asia and beyond;

Whereas the North Korean leadership continues to pursue its nuclear ambitions while up to 2,000,000 North Koreans reportedly starved to death during the late 1990s and hundreds of thousands fled North Korea in search of freedom and food;

Whereas, on October 18, 2004, H.R. 4011, the North Korean Human Rights Act, became Public Law 108–333, bringing attention to the human rights conditions in North Korea and to provide United States support for North Korean refugees;

Whereas, on October 9, 2006, North Korea detonated a nuclear explosive device prompting the United Nations Security Council to adopt military and economic sanctions against North Korea through Resolution 1718;

Whereas, on June 30, 2008, H.R. 2642, the Supplemental Appropriations Act, became Public Law 110–252, granting the President the authority to waive the Glenn Amendment sanctions in order to facilitate North Korea's denuclearization process and to provide heavy fuel oil energy assistance to North Korea in support of the Six-Party Talks;

Whereas, on October 7, 2008, the North Korean Human Rights Reauthorization Act became Public Law 110–346;

Whereas, on October 11, 2008, North Korea was removed from the United States list of state sponsors of terrorism;

Whereas, on October 15, 2008, the Naval Vessel Transfer Act became Public Law 110–429 and included provisions to upgrade the Republic of Korea's foreign military sales status to that of ''NATO plus three'';

Whereas, on January 30, 2009, North Korea announced that it would nullify all inter-Korean agreements that are in pursuit of putting an end to the state of political and military confrontations and abrogate the agreements on the Sea Demarcation Line, known as the ''Northern Limit Line'';

Whereas, on February 3, 2009, President Barack Obama stated, in a call with the Republic of Korea's President Lee Myung-bak, that recent events underscore the need for the United States and the Republic of Korea to work together even more closely to achieve complete and verifiable denuclearization of North Korea;

Whereas, on February 10, 2009, Secretary of State Hillary Clinton stated that North Korea must understand that all of the countries in East Asia have made it clear that North Korea's recent behavior is viewed as unacceptable;

Whereas, on February 20, 2009, Secretary of State Hillary Clinton stated, in a joint press conference with the Republic of Korea's Foreign Minister Yu Myung-hwan, that the United States and the Republic of Korea maintain a joint resolve to bring about the complete and verifiable denuclearization of North Korea through the Six-Party Talks and that North Korea is not going to get a different relationship with the United States while insulting and refusing dialogue with the Republic of Korea;

Whereas for more than a year, North Korea has refused proposals from the Republic of Korea for mutual dialogue and also has refused to fully implement the Six-Party agreements on denuclearization;

Whereas, on April 5, 2009, North Korea launched a missile in clear violation of United Nations Security Council Resolution 1718 prompting a statement by President Obama condemning the launch;

Whereas, on April 13, 2009, the United Nations Security Council adopted a Presidential Statement condemning the launch;

Whereas, on April 14, 2009, North Korea declared that it would withdraw from the Six-Party Talks and resume its nuclear program, and subsequently expelled International Atomic Energy Agency inspectors at the Yongbyon facility;

Whereas, on April 29, 2009, North Korea announced that unless the United Nations Security Council promptly apologize for infringing the sovereignty of North Korea, and withdraw resolutions and decisions adopted against North Korea, it would conduct nuclear tests and test-firings of intercontinental ballistic missiles, and build a light water reactor plant and start the technological development for ensuring self-production of nuclear fuel;

Whereas, on May 25, 2009, North Korea announced that it has conducted a second nuclear test and in successive days, North Korea has launched six short-range missiles and threatened to abrogate the July 27, 1953, armistice ending the Korean War;

Whereas, on May 29, 2009, North Korea announced that it would ''take additional self-defense measures'' if the United Nations Security Council takes any further actions against North Korea;

Whereas, on June 12, 2009, the United Nations Security Council unanimously adopted Resolution 1874, which condemns North Korea in the strongest terms, and imposes stronger sanctions on North Korea by introducing measures to conduct cargo inspections, to restrict North Korea's Weapons of Mass Destruction-related financial transactions, and to strengthen the arms embargo; and

Whereas in face of serious security challenges on the Korean Peninsula, including the recent North Korean hostilities towards the Republic of Korea, the alliance between the United States and the Republic of Korea remains resilient and firm, based on shared values, mutual trust, and common interests: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) North Korea should immediately stop any hostile rhetoric and activity towards the Republic of Korea and engage in mutual dialogue to enhance inter-Korean relations;

(2) North Korea should fully implement the Six-Party joint statement of September 19, 2005, verifiably abandon all of its nuclear weapons and existing nuclear programs, and return to the Non-Proliferation Treaty at an early date;

(3) North Korea should comply with United Nations Security Council Resolutions 1718 of 2006 and 1874 of 2009;

(4) the United States remains committed to the promotion of inter-Korean dialogue and cooperation; and

(5) the strategic importance of the strong alliance between the United States and the Republic of Korea, in promoting peace and prosperity on the Korean Peninsula and in Northeast Asia, should be recognized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

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

Mr. Speaker, I rise in strong support of this resolution expressing the sense of the House of Representatives that North Korea should immediately stop its hostile activities and instead return to dialogue.

Mr. Speaker, as I said earlier of my strong support of H. Res. 309, it is a

thoughtful, timely, and relevant resolution offered by my dear friend and colleague, the gentleman from New York (Mr. KING). I also wish to recognize the contributions and efforts of my colleague, Mr. MEEKS, also from New York. He was the principal Democratic lead cosponsor and is a member of my Subcommittee on Asia, the Pacific and the Global Environment.

Mr. Speaker, this important and bipartisan resolution shares, at its substantive core, three key principles. First, it expresses a unified sense of the Congress that North Korea should cease all hostile and destabilizing activity on the Korean Peninsula. Second, it calls on North Korea to reengage in dialogue with South Korea, as well as with the Six-Party Talks. And, third, it reaffirms our unconditional and unwavering commitment to our alliance partnership with the Republic of Korea.

As we are all aware, North Korea's recent hostile activities have once again brought world attention to the fragile peace and tenuous security framework on the Korean Peninsula. In a span of less than 3 months, North Korea conducted another nuclear test, launched several intercontinental ballistic missiles, and suspended or nullified all major inter-Korean agreements, including the armistice that has maintained peace between North and South Korea since 1953.

Even more alarming, Mr. Speaker, North Korea removed IAEA inspectors at Yongbyon and announced that it was restarting its plutonium production program with the ultimate aim of weaponizing its nuclear material. Meanwhile, amid the hostile brinksmanship, two American journalists, Euna Lee and Laura Ling, were captured, tried, and sentenced to 12 years in prison for reform by hard labor.

North Korea's leader, Kim Jong Il, has let it be known that his 26-year-old son, Kim Jong Un, will succeed him as he succeeded his own father. North Korea's communist leadership regime is being solidified into a totalitarian, hereditary, authoritarian regime.

These startling events have unquestionably precipitated the necessity of a unified congressional response to North Korea's hostile acts, while also sending a message of strong solidarity and support for our close friend and ally, the Republic of Korea.

Just last Friday, the United Nations Security Council unanimously adopted a resolution condemning ''in the strongest terms possible'' North Korea's nuclear test, imposing new sanctions, demanding that the Democratic People's Republic of Korea not conduct any further nuclear test or any launch using ballistic missile technology, and urging Pyongyang to come back to the Six-Party Talks without preconditions.

House Resolution 309 before us today will reinforce the Security Council's message that Pyongyang's recent actions are unacceptable, and it will also reinforce a message President Obama and Secretary of State Clinton both underscored regarding the strength of our alliance with South Korea.

The administration and the international community have sent clear messages to North Korea about its provocations, and it is time that Congress also follows suit.

Mr. Speaker, our consideration of House Resolution 309 today is rendered all the more relevant by the visit of President Lee Myung-bak to Washington. I understand that his incredibly busy schedule will include a summit with President Obama and meetings with Cabinet officials and the House and Senate leadership. I was also made aware that President Lee will receive the honorary doctorate degree from George Washington University, where he was a visiting scholar 10 years ago.

Mr. Speaker, it is always a special occasion when Korea's President visits the United States, and I certainly would like to extend a sincere welcome and best wishes to President Lee, whom I had the honor of meeting with last year in Seoul.

Mr. Speaker, for almost 1½ years now, since his inauguration last February, President Lee has continually emphasized the importance of a strategic alliance with the United States, and this has been manifested through several notable achievements. Most recently, South Korea joined the Proliferation Security Initiative aimed at preventing the spread of weapons of mass destruction. In November of last year, Korea formally acceded to the Visa Waiver Program. In October, a currency swap agreement was signed between our two countries to stem the liquidity issues in the global financial markets. And through legislation passed by our Congress last September, Korea's Foreign Military Sales status was officially upgraded to the level of NATO plus three.

President Lee was also instrumental in arranging for the resumption of the importation of beef imports from the U.S. to Korea after diffusing a sensitive political situation that temporarily halted our imports of beef to South Korea. His determination to settle the beef issue underscores the important commercial ties between Korea and the United States.

Mr. Speaker, I wish to close my remarks by offering a few thoughts on the importance of reaffirming our alliance partnership with Korea. The history of relations between our two countries, which can be tracked back to a treaty of friendship more than 25 years ago, has been marked by consistency and mutual solidarity between our two nations.

Mr. Speaker, I ask my colleagues to support this resolution.

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

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

I rise in strong support of this resolution put forward in March by my good friend and Homeland Security ranking member, PETER KING, to show solidarity with our South Korean allies in their hour of need. Its consideration is timely; it is timed to coincide with tomorrow's Washington summit meeting with the President of the Republic of Korea.

North Korea is fast becoming a foreign policy crisis spiraling out of control. In April, there was a long-range missile launch; in May, there was another underground nuclear test. Only 1 week ago, a Pyongyang kangaroo court took the provocative and morally reprehensible act of sentencing captured U.S. citizen journalists Laura Ling and Euna Lee to 12 years in a labor camp. North Korea also continues to hold a South Korean citizen as a hostage. Our thoughts and prayers are with those captives and their families.

The United Nations Security Council has finally passed a resolution with some teeth. Unfortunately, U.N. Resolution 1718, passed in 2006 after Pyongyang's first nuclear test, was ignored when North Korea returned to the negotiating table.

North Korea's response to this latest U.N. resolution has been more bluster and brinkmanship. The North Koreans revealed, to no one's surprise, that they have maintained a highly enriched uranium program all along, in addition to their plutonium program. They now threaten the world with more bombs and possible nuclear war.

Earlier this month, Kim Jong Il sent a patrol boat into South Korean waters to back up his threats made against our South Korean ally. Some are now convinced that there will be a future military confrontation along the DMZ or in the Yellow Sea. And today, 28,500 U.S. military personnel still stand guard in South Korea, a country often called ''the last frontier of the Cold War.''

The ''Dear Leader'' is obviously testing the mettle of this President and this Congress. Kim Jong Il has responded to the outstretched hand of President Obama's inaugural address with missiles, nuclear bombs, the seizure of American citizens, and a threat of war. He is preparing to launch yet another long-range missile, one that could reportedly reach the United States and is likely to conduct yet another underground nuclear test.

I say enough is enough. Now is the time for the consequences which our current North Korean Special Envoy, Stephen Bosworth, promised after the April 5 missile launch. Last week, Secretary Clinton raised the re-listing of North Korea as a state sponsor of terrorism as one possible consequence. But a few days later, the House Rules Committee refused to allow consideration of an amendment to the Foreign Relations Authorization Act, offered by my good friend and ranking member, Representative ROS-LEHTINEN, which would have done just that. It is unfortunate that Secretary Clinton would consider this, but not the House leadership.

The time for hesitancy is over, Mr. Speaker. America needs to respond to North Korea.

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

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

Mr. BILIRAKIS. Mr. Speaker, I yield to the ranking member, Mr. KING from New York, as much time as he may consume.

Mr. KING of New York. Mr. Speaker, I thank the gentleman from Florida for yielding.

At the outset, let me thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for the support they have given me on this resolution and for bringing it to the House floor. Also, let me thank my colleague from New York (Mr. MEEKS) for being the prime cosponsor of the bill and for his support in pushing it forward. And of course Mr. FALEOMAVAEGA, who does a truly outstanding job as chairman of the subcommittee, I want to thank him as well.

Mr. Speaker, when I first introduced this resolution back in March, it was clear then, obviously, that Korea was a major threat to world stability and a major threat to the national security of the United States, and of course also to its Asian neighbors. Well, since then, the situation has only gotten worse. As Mr. BILIRAKIS pointed out, it has been step after step of aggressive action, provocative action, action defying world opinion, defying resolutions of the United Nations, and absolutely defying agreements that have been made with the Six Parties over the previous years.

Mr. Speaker, President Clinton reached out and tried to engage North Korea, President Bush obviously reached out and tried to engage North Korea, began the Six-Party Talks, made China a part of that process; and yet at every stage, when it comes to weaponizing uranium, plutonium and moving forward, North Korea has refused to respond in good faith. And when they do make a feeble attempt at good faith, it is obviously a ploy, and they renege as soon as any concession is made by the United States or any of our allies. So, Mr. Speaker, I think it is important that we send a message to the North Korean Government.

And let's be clear about this. When we are talking about the North Korean Government, we're really talking about an organized crime family masquerading as a state. Kim Jong Il defies every standard of decency that is built up in the community of nations. I think it is important to realize that, especially when North Korea is contrasted with the Republic of Korea, which has become a model democracy and it is such a strong and staunch ally of the United States.

So as we go forward, Mr. Speaker, I think it is important for the President and the Secretary of State to know that Congress will stand behind them if they have to take stronger action, if they have to really lean back and push back against North Korea. I think everything should be on the table. The fact is that we now have a situation where, with going forward with its nuclear program, North Korea really puts its neighbors in jeopardy, and perhaps soon after that Europe and the United States, with their missile system, with the delivery system, with the nuclear relationships. And I think everything should be on the table, including a very strong missile defense system. And we should have an open debate, put partisanship aside and stand together as Americans to confront what could be a mortal danger to our allies and also causing the situation in Asia to spiral out of control. I certainly think when Japan sees what North Korea is doing, as far as advancing its nuclear program, we could well see Japan considering a nuclear program. We have strong friends, such as Taiwan, who now will be in danger.

Also, it is time for China to realize that they have a major role to play in solving this crisis. The fact is, North Korea could not survive if it did not receive its energy and its food supplies from China. And China should realize that this game can only go on for so long where they somehow take a certain delight in North Korea antagonizing the United States. And also, they feel they can buy off North Korea with their food and energy, and they don't want refugees streaming across their border. But this has now gone beyond the stage where we are just talking and sitting down; we are talking about the very security of the United States being in danger here.

So, Mr. Speaker, I urge the adoption of this resolution. Yes, we have to continue constructive dialogue, we have to engage, to the extent we can, with North Korea; but the fact is that, as Mr. BILIRAKIS said, when the President reached out in good faith—President Clinton, President Bush, and now President Obama have reached out in good faith—the response to them has been an iron fist, it's been missiles, it's been rockets, and it's been weaponizing of nuclear fissile material.

□ 1445

So rather than be caught short, rather than our being victims of something which we should anticipate now, let us stand together, and I certainly reach out across the aisle so that all of us, as Republicans and Democrats and as Americans, can stand with the President as he goes forward, and hopefully he will, to stand up to this really blatant aggression, I believe, by North Korea and send a message to Kim Jong Il, whether it's him or his son, no matter who ends up controlling or calling the shots in North Korea, that it will be met by concerted action from the United States. And also call on countries such as China to start doing what they should be doing, and to reassure our allies such as Japan and Taiwan that the United States will do all it can to prevent and stop North Korea from becoming a nuclear power.

I urge adoption of the resolution.

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

I want to commend and thank my good friend, the gentleman from New York for his sponsorship, again, of this important resolution and certainly thank him for his insights and understanding of the current situation that we're faced with as far as dealing with North Korea.

Mr. Speaker, the geopolitical situation now, the realities and the development as a result of North Korea's latest activities now, makes it absolutely necessary for the United States to strengthen our alliance and partnership with South Korea.

The security alliance between the United States and Korea has been pivotal ever since it was forged through much shedding of blood during the Korean War some 60 years ago. As I recall, over 33,000 of our men and women in military uniform died as a result of that terrible conflict known as the Korean War.

Without question, South Korea has remained a steadfast U.S. ally, especially in our time of need, whether it be the horrific conflict of Vietnam, where I personally served at the time, where some 50,000 South Korean soldiers were right there fighting alongside the members of our Armed Forces there at that time. When we needed assistance in Iraq, Afghanistan, Lebanon, and other global hotspots, South Korea responded affirmatively and dependably as our ally. The foundation of our friendship and alliance is unshakeable. Through our shared values and common history, we are able to meet global challenges together, ranging from terrorism to the current crisis in North Korea.

Mr. Speaker, our economic and trade relationship with South Korea is one of the strongest in Asia, and currently South Korea is our seventh-largest trading partner in the world. In 2007 our two countries concluded a free trade agreement that now awaits approval by our Congress as well as the Korean National Assembly.

In my opinion, Mr. Speaker, the U.S.-Korea Free Trade Agreement will bring tremendous benefits to both of our countries. The International Trade Commission has forecast that the elimination of tariffs on U.S. goods under the agreement would increase our GDP by about $11 billion a year. The agreement will also eliminate regulatory and other nontariff barriers that have historically restricted access by farmers, manufacturers, and service providers. And to the South Korean market, with growing difficulties and the health of our economy, in my opinion, this proposed agreement will be a win-win situation: a win for our workers, a win for our businesses, and a win for our consumers.

But perhaps the most compelling argument supporting a free trade agreement with this important ally of ours is the very reason that we are gathered here in support of House Resolution 309. The geopolitical factors in East Asia and North Korea's recent destabilizing actions necessitates a firm and tangible U.S. commitment in the region. And realizing that the free trade agreement would send the right message to both North and South Korea that we seek an even stronger and more comprehensive economic and trade relationship with our important ally, the Republic of Korea.

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

Mr. BILIRAKIS. Mr. Speaker, I yield such time as he may consume to the ranking member of the Subcommittee on Terrorism, Nonproliferation and Trade, the Member from California (Mr. ROYCE).

Mr. ROYCE. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of Congressman PETER KING of New York's legislation. I think it's very important at this point in time to recognize, as we have discussed today, the importance of that relationship that we have with South Korea and to recognize also just how much of a test North Korea's provocative actions have been for our allies in South Korea.

If we think back to the aftereffect of the Korean War and how South Korea lay in ruins and think today about the fact that South Korea has one of the highest per-capita incomes in the world and yet we look at North Korea and it has the lowest, it is truly dramatic. I have been in North Korea, and it's phenomenal to me to see the kind of devastation that that misrule has led to in terms of the population, the stunted growth, the malnutrition that you can see when you meet people. But particularly for our friends in South Korea, who today are one of our strongest trading partners, particularly for them at this point in time, when we see this North Korean foreign policy, which has always been aggressive but lately has included long-range missile tests; has included three-stage ICBMs; includes booting U.N. inspectors from the country; the sentencing of Laura Ling and Euna Lee, two young American journalists, sentencing them to 12 years hard labor; the ongoing counterfeiting of U.S. $100 bills; missile proliferation out of North Korea; drug trafficking and other illicit activities, so many illicit activities that I think some of us are confounded by the fact that almost half of the hard currency that goes into that regime is money they make through illicit activities. And now North Korea has conducted a second underground nuclear test in 3 years. We are in the midst of a leadership struggle, and many expect as a result more provocations, more missile tests, even more nuclear tests perhaps over the ensuing months.

Weeks after the North Korean test, the U.N. Security Council has passed a watered-down resolution. And just as the previous administration did after North Korea's October 2006 nuclear test, this U.N. action will be touted. It will be touted by our spokesman as an effective response. Well, we've heard this story before, unfortunately. It is not an effective response, and it is because, frankly, with the lowest common denominator U.N. resolution approach, where China and Russia get that opportunity to water down that resolution so that it won't be enforced effectively, frankly, we come to a conclusion. And the conclusion for me—and I've followed this issue for many years—is that the United States can achieve an awful lot by deploying measures to further undercut North Korea's economy and to target its proliferation activities. We have found that the source of doing that before; we should do it again.

Past attempts to squeeze the wallet of North Korea have proven very successful. When banks from across Asia refused to do business with the North Koreans after a bank in Macau was shut down by U.S. sanctions for laundering counterfeit U.S. currency for North Korea, it brought enormous pressure. It was at a point in North Korea where the previous ruler, Kim Jong Il, temporarily the ruler, could not pay his generals. And that was until this effort was dropped with the belief that North Korea would bargain its nuclear program away. Those sanctions were lifted. North Korea got back on its feet. The work that they were doing on missile proliferation could begin again because they had the hard currency again.

There were reports that North Korean counterfeiting of our $100 bills has been ramped up in recent months. News reports indicate that South Korea has given us the information on between 10 and 20 North Korean bank accounts, most of them in China, one of them in Switzerland. One former U.S. official has called that Macau bank—and I have been in Macau and we have seen those $100 bills—he calls that the tip of the iceberg of North Korean illicit activity.

We know what to do now. We know what worked in terms of shutting them down when we were willing to do it. So if we have the will, we can do that again.

Mr. Speaker, North Korea's second nuclear test in 3 years offers a silver lining: clarity of the intentions of that regime. In case we didn't know it before, in case we didn't suspect it when we found that they were helping Syria on the banks of the Euphrates, when they were helping Syria develop a nuclear program, North Korea has dropped the pretense of being willing to negotiate away its nuclear program. We have learned, as PETER KING, our colleague from New York, has told us, about the work done on uranium enrichment in addition to the plutonium program. They had a secret underground program that they never divulged to us.

South Korean President Lee Myung-bak, who will be visiting Washington this week, advocated for a new approach with respect to the Six-Party Talks in a weekend interview. That South Korea, our ally for over 60 years, is pressing for a fresh approach should speak volumes to us, and I hope we are listening.

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

I want to thank my good friend and colleague the gentleman from California for his comments, certainly one of the most recognized experts that we have in the House as far as issues dealing with the Korean Peninsula. I do thank him for his thoughts and sentiments on this important issue.

Once again, Mr. Speaker, I wish to thank my good friend the gentleman from New York (Mr. KING) and also Mr. MEEKS for offering this important resolution and especially also the chairman of our committee, Mr. BERMAN, and also our senior ranking member, Ms. ROS-LEHTINEN, for their leadership and their support in bringing this bill before the floor.

I ask my colleagues to join me in supporting this resolution and offering President Lee our best wishes for a pleasant visit to Washington and a successful summit with President Obama sometime this week.

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

Mr. BILIRAKIS. Once again, I want to thank my good friend PETER KING, the ranking member of the Homeland Security Committee, for introducing this very important resolution, very timely as well. And I urge quick and unanimous passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand here today to convey the importance of the passage of H. Res. 309, which urges North Korea to cease all hostile rhetoric and activity toward the Republic of Korea. In the interest of the Korean people, it is imperative that Korea begin to engage in a dialogue in an effort to improve inter-Korean relations. Development can only come about with sincere and diplomatic communication via inter-Korean engagement.

North Korea's nuclear and missile program, and their suspected proliferation, is one of the gravest threats to international peace and stability in Northeast Asia and beyond. The time has come for the North Korean regime to abandon its nuclear weapons and all nuclear programs, and revert to the Non-Proliferation Treaty (NPT) post haste. Yet North Korean leadership continues to pursue its nuclear ambitions while up to 2,000,000 North Koreans reportedly starved to death during the late 1990s and hundreds of thousands fled North Korea in search of freedom and food.

Given the urgency of timing and development on the issue of North Korea's nuclearization, President Obama noted in a call with the Republic of Korea's President Lee Myung-Bak on February 3, 2009, that recent events underscore the immediate need for the United States and the Republic of Korea to work together even more closely to achieve complete and verifiable denuclearization of

North Korea. As North Korea continues to pursue proliferation, time is running out for the plausibility of comprehensive denuclearization. On February 10, 2009, Secretary of State Hillary Clinton stated that North Korea needs to understand that all of the countries in East Asia have made it clear that North Korea's recent behavior is viewed as unacceptable. Furthermore, on February 20, 2009, Secretary of State Hillary Clinton stated, in a joint press conference with the Republic of Korea's Foreign Minister Yu Myung-hwan, that the United States and the Republic of Korea maintain a joint resolve to bring about the complete and verifiable denuclearization of North Korea through the Six-Party Talks. Secretary of State Clinton also stated that North Korea will not be establishing a new and different relationship with the United States while simultaneously insulting and refusing dialogue with the Republic of Korea.

H. Res. 309 additionally requires North Korea's compliance with U.N. Security Council Resolution 1718, which prevents a range of goods from entering or leaving the Democratic People's Republic of Korea and imposes an asset freeze and travel ban on persons related to the nuclear-weapon program, should North Korea's pursuit of nuclearization not cease immediately. The strategic importance of the strong alliance between the United States and the Republic of Korea cannot be overstated. Such an alliance is necessary in promoting peace and prosperity on the Korean Peninsula and in Northeast Asia, and should be recognized.

In conclusion, we have reached a point in time where North Korea must cease their proliferation efforts. Additionally, North Korean leadership should scale back their weapons program by aiming to prevent illicit trafficking in nuclear, chemical or biological weapons. In order to implement change for the people of Korea and improve its image in the international arena, it is necessary that North Korea engage in inter-Korean dialogue. I urge passage of this important resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 309, as amended.

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

A motion to reconsider was laid on the table.

HONORING SUMO WRESTLER TAKAMIYAMA DAIGORO

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 479) honoring the contributions of Takamiyama Daigoro to Sumo and to United States-Japan relations.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 479

Whereas Takamiyama Daigoro was born Jesse Kuhaulua in Maui, Hawaii, on June 16, 1944;

Whereas Takamiyama Daigoro entered professional Sumo, an ancient Japanese sport with origins spanning over several centuries;

Whereas Takamiyama Daigoro was the first United States born sumo wrestler and also became the first foreigner to win the top division championship of Sumo in 1972;

Whereas upon his 1972 victory, United States Ambassador Robert Ingersoll read a congratulatory message from President Richard Nixon, marking the first time English words were spoken at a sumo tournament;

Whereas Takamiyama Daigoro competed in over 1400 matches, established numerous records, and earned many awards over his 20-year career;

Whereas Takamiyama Daigoro became the first and only foreign born wrestler to become an oyakata, or training master, by establishing a training stable for sumo wrestlers;

Whereas Takamiyama Daigoro paved the way for Polynesian and other foreign wrestlers to compete in this traditional ancient sport including Saleva'a Atisano'e, also known as Konishiki, who became the first foreigner to reach ozeki, the second highest sumo rank, Chad Rowan, also known as Akebono, who became the first foreigner to reach yokozuna, the highest sumo rank, and Fiamalu Penitani, also known as Musashimaru, who became the second foreigner to reach yokuzuna; and

Whereas Takamiyama Daigoro is retiring on June 16, 2009, at the mandatory retirement age of 65: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors Takamiyama Daigoro's achievements to Sumo and his contributions to enhancing United States-Japan relations; and

(2) encourages the international community to recognize the successes of Takamiyama Daigoro in Sumo.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

I rise in strong support of this resolution, recognizing the contributions of Takamiyama Daigoro to the sport of sumo wrestling, the most ancient sport in Japan, and to the U.S.-Japan relationship.

Mr. Speaker, June 15, 2009, marks the day before Takamiyama's 65th birthday, when those in sumo must retire.

Over the course of this exceptional 45-year career, Takamiyama Daigoro not only achieved great success as a sportsman but also built enduring bridges between the United States and the people and the Government of Japan.

Jesse Kuhaulua, that is his real Hawaiian name, known professionally in Japan as Takamiyama Daigoro, was a trailblazer in the sport of sumo wrestling in every sense of the word.

□ 1500

He was born in the great State of Hawaii and became the first U.S.-born wrestler to enter the sport of sumo in Japan. When he came to Japan to enter the dohyo, the sumo wrestling ring, he was new to Japan; and despite having no prior experience in Japan with sumo wrestling, he quickly mastered the sport's physical and unique traditions. He also mastered the Japanese language and the nuances of the Japanese culture. Takamiyama competed in over 1,400 matches, winning 12 kinboshi or gold stars, and 11 sansho, or special prizes. In 1972 he became the first foreigner to win the Emperor's Cup, the top division championship in the sport of sumo wrestling. After that victory, U.S. Ambassador Ingersoll read a congratulatory message from President Nixon, marking the first time English words were ever spoken at a sumo tournament. Takamiyama Daigoro to this day is the first and only foreigner to open his own training stable for sumo wrestlers. I urge my colleagues to support the passage of this resolution.

I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of this resolution, which gives long overdue recognition to the accomplishments of sumo champion Takamiyama Daigoro, who won Japan's top division sumo championship in 1972. This native son of Hawaii, also known as Jesse Kuhaulua, was the first foreigner to achieve this distinction since competitive sumo tournaments first appeared in the 16th century. Athletes have long been recognized as goodwill ambassadors who can often promote international understanding more effectively than professional diplomats. For example, 2 years ago former Secretary of State Condoleezza Rice named baseball legend Cal Ripken, Jr. as a goodwill ambassador to expand the role of athletes in diplomacy. Mr. Daigoro, who retires tomorrow from the professional ring at age 65, has spent three and a half decades using his athletic skills to promote understanding and friendship between the people of the United States and the people of Japan. I, therefore, join Ms. HIRONO and my congressional colleagues from the Aloha State in supporting this resolution, which offers congratulations and thanks to this outstanding athlete for his remarkable record in sumo, for his role in diversifying that which had previously been exclusively a Japanese sport, and for

his service as an athletic goodwill ambassador to our close ally, Japan, for the past 37 years.

Happy birthday, Jesse. Thank you for your many accomplishments, and good luck in your future endeavors.

I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, at this time I would like to yield all the time that she may want to consume to the chief sponsor of this bill, my good friend, the gentlelady from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I would like to thank the chairman for yielding time and for being an original cosponsor of my bill, along with my colleague NEIL ABERCROMBIE. I would also like to thank the previous speaker for his very kind and knowledgeable remarks, and you pronounced his name correctly, too, which is wonderful. Thank you.

H. Res. 479 recognizes the contributions of Jesse Kuhaulua, known professionally as Takamiyama Daigoro, a trailblazer in the sport of sumo wrestling. Maui born and a graduate of Baldwin High School in Wailuku, Jesse made his debut as an aspirant in Japan's national sport in the winter of 1964 in Osaka. At the time he knew little of the Japanese language and the subtleties of the sport itself. In this initial test, he wondered if his stay in Japan would be counted in weeks or months. Today Takamiyama Daigoro will retire from a 45-year long sumo career filled with historic milestones. This marks the day before his 65th birthday when senior members of the sport must retire. Takamiyama Daigoro was the first United States-born wrestler to enter the sport of sumo. In 1972 he became the first foreigner to win the Emperor's Cup, a top division championship in the sport. He was also the first foreign-born wrestler to climb to sumo's third-highest rank of sekiwake. Takamiyama also stands as the only foreigner to open his own heya, or stable, in order to train future generations in the sport after he stopped actively competing himself. Takamiyama opened the door for others from Hawaii to join him in this most ancient of sports. This group includes Saleva'a Atisano'e, also known as Konishiki, who became the first foreigner to reach the second-highest rank of ozeki; Chad Rowen, also known as Akebono, who became the first foreigner to hold the highest rank of sumo, that of yokozuna; and Fiamalu Penitani, also known as Musashimaru, who became the second foreigner to hold the title of yokozuna. Today foreigners from other countries, such as Mongolia, Russia and Georgia, have attained higher rankings and remarkable acclaim in this most ancient of Japanese sports.

I urge my colleagues to support this recognition of Jesse Kuhaulua, a true ambassador of the aloha spirit.

Mahalo nui loa.

Mr. FALEOMAVAEGA. Will the gentlelady yield?

Ms. HIRONO. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend and thank my good friend, my colleague from Hawaii, for sharing with us her statement concerning these outstanding athletes. It may be known to my colleagues in the House, but just to give you an indication of what these gentlemen look like—Takamiyama, he is about 6'4'', and he weighed 350 pounds at the height of his ability to do sumo wrestling; Konishiki, who happens to be a relative of mine, weighed only 560 pounds, and he was about 6'0'' in height; Akebono, Chad Rowens, is about 6'8'', and he weighed almost 500 pounds and so was Musashimaru, both yokozunas, which is the highest level of the championship in Japanese sumo wrestling. Musashimaru, Fiamalu Penitani, was about 6'4'' and weighed almost 500 pounds as well. Don't be misled by the fact that these gentlemen may be heavy. They say that in sumo wrestling, with one little push or shove from one arm, they can literally hurt you. I've personally seen the training that these gentlemen go through, about 6 or 7 hours a day, in building their—and they have to do the splits. So believe it or not, these gentlemen can do the splits just like you would in doing ballet dancing, if you will, in terms of the conditioning and the ability that they have to really strengthen themselves when they go to the mat and conduct this ancient sport of sumo wrestling.

Again, I do want to thank my good friend, the gentlewoman from Hawaii.

Ms. HIRONO. I would like to note in closing that a very famous singer, who sadly has passed away, named Israel Kamakawiwo'ole wrote a wonderful song about our Hawaiian sumo wrestlers, calling them gentle giants.

Mr. FALEOMAVAEGA. I also want to note to the gentlelady that Konishiki and I had prepared one of our relatives who was about 18 years old, is only about 6'10'', and he weighed 450 pounds. For one whole year, we tried to get him into sumo wrestling; and unfortunately, the Sumo Federation refused to allow more Polynesians to participate in this ancient sport of wrestling.

With that, Mr. Speaker, I also want to again thank my good friend for her sponsorship and the many sponsors of this important resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 479.

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

A motion to reconsider was laid on the table.

LAREDO VETERANS POST OFFICE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2325) to designate the facility of the United States Postal Service located at 1300 Matamoros Street in Laredo, Texas, as the ''Laredo Veterans Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2325

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

SECTION 1. LAREDO VETERANS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1300 Matamoros Street in Laredo, Texas, shall be known and designated as the ''Laredo Veterans Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Laredo Veterans Post Office''.

The SPEAKER pro tempore (Ms. HIRONO). Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. LYNCH. I now yield myself as much time as I may consume.

Madam Speaker, I am pleased to present for consideration H.R. 2325, which is legislation to designate the United States postal facility located at 1300 Matamoros Street in Laredo, Texas, as the Laredo Veterans Post Office. Introduced by my colleague Representative HENRY CUELLAR of Texas on May 7, 2009, and reported out of the Oversight Committee by unanimous consent on June 4, 2009, H.R. 2325 enjoys the support of the entire Texas House congressional delegation. As evidenced by the short title of the bill, the legislation before us seeks to pay tribute to all the brave men and women from the city of Laredo, Texas, as well as the State of Texas and across the United States who have served our Nation in the United States military both at home and abroad. Over 23 million American military veterans are currently living in the United States, including nearly 2 million veterans living in the State of Texas alone. These fine Americans as well as those that are no longer with us have devoted their lives to the defense and security of our Nation, notwithstanding the great personal risk and sacrifice they must endure. We are eternally in their debt and forever grateful for their noble and selfless dedication to our Nation and the preservation of its founding principles.

Madam Speaker, I again want to thank the gentleman from Texas (Mr.

CUELLAR) for being the lead sponsor of this legislation and offering such a thoughtful and considerate measure in honor of his constituents. With that, let us also pay tribute to the distinguished service of our veterans from the city of Laredo, from the State of Texas and across the Nation by designating the Laredo Post Office in their honor. I urge my colleagues to join me and Representative CUELLAR in supporting H.R. 2325.

I reserve the balance of my time.

Mr. BILBRAY. Madam Speaker, I yield myself as much time as I may consume.

Today I urge passage of the bill designating the facility of the United States Postal Service in Laredo, Texas, as the Laredo Veterans Post Office.

Madam Speaker, the deeds, accomplishments and the many services of the individuals of Texas who have served our Armed Forces are written in the archives of American history. Their deeds and these military personnel occupy an important role in our own history; and in this regard, the citizens of Texas and the city of Laredo set a high standard for courage and for service for those of us in this country. Today I ask that we honor these brave Texans for their service and commitment and heroism in defense of America, thus designating the United States post office in Laredo in their honor.

Madam Speaker, I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, at this time I would like to yield 5 minutes to the lead sponsor of this legislation, the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Thank you, Mr. LYNCH. I appreciate the leadership that you've shown not only on this bill but on the committee also. We thank you for the work that you've done. Mr. BILBRAY, thank you also for the work that you've done; and thank you, again, for serving in a bipartisan way on the Oversight Committee.

I rise in support of H.R. 2325 to name the post office at 1300 Matamoros Street in Laredo, Texas, as the Laredo Veterans Post Office. When you look at the history of Texas, the State of Texas, the city of Laredo, you will see that in that history, the veterans have played a very important role.

□ 1515

The veterans of Laredo, Texas, have served in a very distinguished way in many of the wars we have had. Many of them have sacrificed in World War I, World War II, the Vietnam War and Korea, and in other conflicts we have had, up to the latest war we have.

I think it is only appropriate that we name the post office, which is in front of a plaza where it is also recognized as a way that we have recognized the veterans. It is placed in an appropriate place.

Madam Speaker, I would ask Members to please join me in support of H.R. 2325, where we name the post office at 1300 Matamoros Street after the brave men and women that we have in Laredo, to be named as the Laredo Veterans Post Office.

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

Mr. LYNCH. Madam Speaker, I just urge our colleagues to join with Congressman CUELLAR in naming this post office in memory and in honor of our United States and Texas veterans.

With that, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2325.

The question was taken.

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

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

The yeas and nays were ordered.

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

KYLE G. WEST POST OFFICE BUILDING

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2422) 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'', as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2422

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

SECTION 1. KILE G. WEST POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2300 Scenic Drive in Georgetown, Texas, shall be known and designated as the ''Kile G. West Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Kile G. West Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present H.R. 2422, as amended, for consideration this afternoon.

The bill before us will designate the United States postal facility located at 702 East University Avenue in Georgetown, Texas, as the ''Kyle G. West Post Office Building.'' Introduced by our colleague Representative JOHN CARTER of Texas on May 14, 2009, and reported out of the Oversight and Government Reform Committee on June 4th, 2009, by unanimous consent, H.R. 2422 enjoys the support of the entire Texas House delegation.

A resident of Hutto, Texas, First Lieutenant Kyle G. West bravely served in support of Operation Iraqi Freedom with the United States Army's 6th Squadron, 9th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division, out of Fort Hood, Texas.

On Memorial Day, May 28, 2007, First Lieutenant West and four fellow members of his unit were killed in Abu Sayda, Iraq, when their Bradley Fighting Vehicle was struck by an improvised explosive device. The soldiers had been out on a rescue mission in support of comrades who had been downed in a helicopter.

After graduating in 2001 from Hutto High School in Texas, First Lieutenant West attended Blinn College and subsequently received a degree in business management from Stephen F. Austin State University in 2005.

In pursuit of his lifelong dream to serve in the United States military, First Lieutenant West joined the ROTC program at Stephen F. Austin as a junior, and eventually rose to sergeant in the Texas National Guard out of Lufkin, Texas. Included among Kyle's National Guard duties were assisting in the Columbia shuttle recovery efforts in 2003, as well as serving in Louisiana following Hurricane Katrina. Kyle was commissioned into the United States Army as a second lieutenant on the eve of his college graduation ceremony and subsequently deployed to Iraq on October 3, 2006.

In addition to his dedication to his unit and his country, Kyle is equally remembered for his devotion to his family and to his friends. As recalled in a May 31, 2007, article in the Austin American-Statesman, Kyle was a devoted son, a protective big brother, and a loyal friend who is still known in his old neighborhood for rounding up friends to take care of a local grackle problem while all the adults were at work.

Mr. Speaker, First Lieutenant Kyle West's life stands as a testament to the bravery and devotion of the heroic men and women who have served and continue to serve our Nation at home and abroad. It is my sincere hope that we can honor this young soldier through the passage of H.R. 2422 and rename the Georgetown, Texas, postal facility as

the Lieutenant Kyle G. West Post Office Building. I urge my colleagues to do the same.

I reserve the balance of our time.

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

Mr. Speaker, I rise today in support of this bill to designate the facility of the United States Postal Service located at 2300 Scenic Drive in Georgetown, Texas as the "Kile G. West Post Office Building."

Kile Grant West was born on July 12, 1983, in Pasadena, Texas. He was an all American guy who enjoyed Texas country music, a good barbeque, football, and his friends and family. He was known as a goal orientated individual who from the very early age of four, when he started playing army, knew he wanted to join the military.

Always a team player, he played four sports at Hutto High School where he learned leadership and the ability to succeed in a group.

Lieutenant West attended Blinn Junior College his freshman year and transferred to Stepehen F. Austin State University where he joined the SFA ROTC program as a junior and simultaneously became a sergeant in the National Guard in Lufkin.

He was also very active on campus as the secretary of Delta Chi Fraternity where he was asked to serve as president, but he declined to focus on his military career.

After graduating from college in 2005, he was assigned to Fort Hood and was deployed for Iraq on October 3, 2006. While stationed in Iraq, Lieutenant West was promoted to 1st lieutenant on Memorial Day, 2007. Sadly, that was the last day of life for this brave young soldier. During combat action in Abu Sayda, Iraq, Lieutenant West died while attempting to rescue the flight crew of a downed aircraft.

As a result of his heroic actions on that day, May 28th, 2008, he was awarded the Army Bronze Star for Heroism and the Purple Heart.

The citizens of the United States and Lieutenant West's family and friends will forever be proud of this man who stood and fought so bravely for his country. With gratitude for his bravery and sacrifice to his country, I ask all members to join me in supporting H.R. 2422, so his memory, like those who served before him, will not be forgotten.

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

Mr. BILBRAY. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the great State of Texas (Mr. CARTER).

Mr. CARTER. Mr. Speaker, I thank the gentleman for yielding, and I thank both of my colleagues for going forward on this resolution today for First Lieutenant Kile G. West.

As has been said, Kile G. West died with four other soldiers on May 28, 2007, in Abu Sayda, Iraq. This happened when an improvised explosive device struck their vehicle.

Kile graduated from Hutto High School in Williamson County, Texas, and went on to achieve the rank of sergeant in the Texas National Guard while serving as a cadet in the ROTC program at Stephen F. Austin University and serving as secretary of the Delta Chi fraternity.

He graduated and took his oath into the United States Army as a second lieutenant in December of 2005. In January of 2006, Lieutenant West went to Fort Sill, Oklahoma, for officers training, and then in June of 2006 was assigned to Fort Hood, Texas, where he was a field artillery officer for the 1st Cavalry Division, 3rd Brigade, 6th Squadron, 9th Regiment, Apache Troop. Kile deployed to Iraq on October 4th, 2006, and was promoted to first lieutenant the morning before his death on Memorial Day, May 28, 2007.

On a voluntary rescue mission to save the crew of a downed helicopter, his Bradley was hit by an IED en route to save the pilots. Kile was due home for R&R 2 weeks before his death and 6 weeks before his 24th birthday. Kile received the Purple Heart and Bronze Star among his awards. He was also honored with the Valor Award from his fraternity, Delta Chi.

This young man is one of those many, many American heroes that we have seen go out and stand up for freedom in the name of the United States of America. I would ask that we pass H.R. 2422, naming the post office in Georgetown, Texas, after this young warrior.

Mr. BILBRAY. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, in closing, I just join with the gentleman from Texas (Mr. CARTER) for the purpose of supporting this measure which will honor First Lieutenant Kile West.

I yield back the balance of our time.

The SPEAKER pro tempore (Mr. CUELLAR). The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2422, as amended.

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

The title was amended so as to read: "A bill to designate the facility of the United States Postal Service located at 2300 Scenic Drive in Georgetown, Texas, as the 'Kyle G. West Post Office Building'.".

A motion to reconsider was laid on the table.

LIEUTENANT COMMANDER ROY H. BOEHM POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2470) to designate the facility of the United States Postal Service located at 19190 Cochran Boulevard FRNT in Port Charlotte, Florida, as the "Lieutenant Commander Roy H. Boehm Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2470

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

SECTION 1. LIEUTENANT COMMANDER ROY H. BOEHM POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 19190 Cochran Boulevard FRNT in Port Charlotte, Florida, shall be known and designated as the "Lieutenant Commander Roy H. Boehm Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Lieutenant Commander Roy H. Boehm Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I stand for the consideration of H.R. 2470, legislation that designates the United States Postal Service facility located at 19190 Cochran Boulevard, FRNT, in Port Charlotte, Florida, as the "Lieutenant Commander Roy H. Boehm Post Office Building".

Introduced by Representative THOMAS J. ROONEY on May 18, 2009, and reported out of the Government Reform and Oversight Committee on June 4, 2009, by unanimous consent, H.R. 2470 enjoys the support of Florida's entire House congressional delegation.

A longtime resident of Punta Gorda, Florida, Lieutenant Commander Roy Boehm served with distinction in the United States Navy for over 30 years. Lieutenant Commander Boehm enlisted in the United States Navy in April of 1941 at the age of 17. His subsequent and remarkable Navy career included service in World War II, the Korean War and the Vietnam War, and resulted in his receipt of nearly 30 military awards, including the Purple Heart, the Bronze Star with Valor Device and the Meritorious Service Medal.

Notably, Lieutenant Commander Boehm's extensive combat experience over the course of three wars led him to determine that highly specialized and diverse training would give his men a significant tactical advantage in the conduct of unconventional warfare. Accordingly, in 1960, Lieutenant Commander Boehm began developing, designing and assembling an elite special operations unit within the United States Navy that would later become known as the Navy SEALs. In fact, Commander Boehm was the first officer in charge of the Navy SEAL team, which is why he became known as the first United States Navy SEAL.

United States Navy Admiral Whitey Taylor acknowledged Lieutenant Commander Boehm's influence on the

SEAL program in a 1997 letter to Boehm where it says, ''John F. Kennedy was right. The U.S. Navy SEALs will bear your mark as long as they and the freedom they fight for continues to exist,'' wrote Admiral Taylor.

In addition to his distinguished military service, Lieutenant Commander Boehm was equally admired for his longstanding support of military veterans within his Punta Gorda community.

Regrettably, Lieutenant Commander Boehm passed away on December 30, 2008, at his Punta Gorda home at the age of 84. It is my hope that we can somehow honor his outstanding legacy and service to our country through the passage of H.R. 2470 and by designating the Port Charlotte Postal Facility on Cochran Boulevard in his honor.

I urge my colleagues to join me in supporting H.R. 2470.

I reserve the balance of my time.

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

I rise today in support of H.R. 2470, legislation to have the United States Post Office Building located at Port Charlotte, Florida, designated as the Lieutenant Commander Roy H. Boehm Post Office.

Mr. Speaker, there are many accomplishments that Lieutenant Commander Boehm made as he served this country in many ways, as the gentleman from Massachusetts has pointed out. But for me personally, as somebody who grew up in a neighborhood full of United States SEAL team members, the San Diego area and specifically the Coronado area, I would just like to say that Commander Boehm is going to go down in history as a man who transformed what was the UDT, basically the Underwater Demolition Team, transformed that concept into what we know today as the SEALs.

I think today that we need to take this action not just for the commander, but for the men that serve every day as SEAL team members out there that you will not hear about. But their deeds are great and many. But we don't hear about them, mostly because so many of them are covert.

□ 1530

I have to say that from everything, from saving the victims of piracy to defending our camps around the world, the SEALs have proven their value to this country. Commander Boehm made this possible, and I think that is why it's so appropriate that we join today in naming this post office. Today the Navy SEALs are known around the world, but when the commander started, nobody even hardly knew what a UDT member was. And largely because of Commander Boehm, we can thank the entire service that we know now today as the SEALs.

I ask my fellow Members of Congress to join me in honoring Commander Boehm by recognizing his many life achievements, his valor, his contribution to the armed services of the United States and, particularly, through his participation in the creation of that group the world knows as the United States Navy SEALs.

I reserve my time.

Mr. LYNCH. Mr. Speaker, we have no further speakers on this. I continue to reserve our time.

Mr. BILBRAY. Mr. Speaker, at this time I will yield back the remainder of my time.

Mr. LYNCH. I thank the gentleman from California for his words in support of this measure.

I also want to thank Congressman ROONEY for being the lead sponsor here, the gentleman from Florida.

In closing, I again urge my colleagues to join me in honoring Lieutenant Commander Roy Boehm for his good work through the passage of H.R. 2470.

Mr. ROONEY. Mr. Speaker, I think it is appropriate that my first bill to be considered on the House floor is to honor a distinguished veteran who passed away in December of last year. Lieutenant Commander (LCDR) Roy Boehm was a true American hero and longtime resident of Punta Gorda, FL which I am honored to represent.

Mr. Boehm was a retired Navy Lt. Commander and was the first officer in charge of SEAL Team 2, one of the original Navy SEAL teams. Many would say that he was the first SEAL.

H.R. 2470 names the post office located at 19190 Cochran Blvd. in Port Charlotte after Lieutenant Commander Boehm. LCDR Boehm enlisted in the Navy in 1941 and fought during World War II, Korea and Vietnam. In 1942, he participated in the Battle of Cape Esperance and Guadalcanal during WWII. He also was involved in action in Kerama Reto and Okinawa.

During his service, LCDR Boehm obtained qualifications in deep sea diving, deep submergence rescue chamber operator for submarine rescue, experimental diving, and salvage diving. He graduated from both Airborne and Ranger Training.

In 1961, under orders from President Kennedy LCDR Boehm developed and launched the Navy's elite Sea, Air, and Land forces unit known as the SEALs. LCDR Roy Boehm set the standard for the Navy SEALs of today and he is missed.

Mr. LYNCH. I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2470.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECOGNIZING HILLEL FOUNDATION

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 493) recognizing the significant contributions of Hillel: The Foundation for Jewish Campus Life to college campus communities in the United States and around the world.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 493

Whereas Hillel: The Foundation for Jewish Campus Life was founded at the University of Illinois, Urbana-Champaign in 1923 and has become the world's largest Jewish campus organization, serving Jewish college students on over 500 campuses across the globe;

Whereas Hillel has been an important partner to universities by providing resources, programs, and other forms of support to the entire campus community;

Whereas Hillel has been at the forefront of breaking down discriminatory barriers to students of all backgrounds on college campuses for 85 years;

Whereas Hillel has contributed to the Nation's preeminence in science, industry, and the humanities by helping generations of students attain the dream of higher education;

Whereas Hillel has contributed to United States history by providing armed service personnel with counseling prior to World War II, welcoming GIs back to campus following the war, and sponsoring European refugees on campuses during and after the war, including the late Chairman of the House Foreign Affairs Committee Tom Lantos;

Whereas Hillel has educated students about American values and has helped them to provide leadership for social justice causes, including the civil rights movement, the campaign to free Soviet Jewry, the effort to stop the genocide in Darfur, and the promotion of AIDS Awareness and interfaith understanding;

Whereas Hillel has been at the forefront of educating campuses about Israel, an ally of the United States;

Whereas Hillel has helped to provide students with the tools to combat anti-Semitism on campus; and

Whereas Hillel continues to contribute enormously to civil society by providing service-learning opportunities for thousands of students in the United States and abroad: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports Hillel's mission of service to Jewish college students and partnership with the campus community; and

(2) congratulates the students, lay leaders, and professionals of the Hillel movement on reaching its milestone 85th birthday.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 493 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today to recognize the significant contributions that Hillel: The Foundation for Jewish Campus Life has made towards colleges and universities around the United States.

Hillel began as an organization 85 years ago at the University of Illinois Urbana-Champaign. Benjamin Frankel developed the organization as an opportunity for Jewish students to affirm their heritage during a time of anti-Semitism. The advent of World War II, and the horror of the Holocaust, only further justified the need for Hillel as a campus organization.

During the war, Hillel counseled soldiers, welcomed GIs back to campus, and sponsored European refugees. One of these refugees was the late chairman of the House Foreign Affairs Committee, Tom Lantos.

Today Hillel is the largest Jewish campus organization in the world. Hillel's mission is to enrich the lives of Jewish undergraduate and graduate students so that they may enrich the Jewish people and the world. The organization helps students grow spiritually, intellectually, and socially throughout their college years. Hillel prepares thousands of young adults to enter the world upholding the important ideals of the Jewish faith.

In addition to serving the Jewish community, Hillel serves as a beacon for social justice causes that extend far beyond the Jewish community. The organization champions civil rights, ending the genocide in Darfur, AIDS awareness, and interfaith dialogue and understanding. Hillel is also an important campus advocate for Israel, educating college students about their country's important relationship with Israel. Through these outreach and advocacy efforts, Hillel communicates to our Nation and the world the highest values of the Jewish community.

Mr. Speaker, I encourage everyone to take a moment and appreciate the contributions made by Hillel. I urge my colleagues to pass this resolution.

I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 493, which would recognize the significant contributions of Hillel: The Foundation for Jewish Campus Life to college campus communities in the United States around the world.

Hillel is a Jewish Campus Life organization that has provided support and education to Jewish and non-Jewish students around the world. It was originally named after a sage who moved from Babylonia to Palestine in the first century. His wisdom is the foundation upon which this organization was built.

It was founded in 1923 at the University of Illinois Urbana-Champaign. It provided support to Jewish students throughout the Depression, World War II, and the Holocaust. In 1988 Hillel was reorganized, adopted a new mission statement, and became the organization we recognize today.

For 85 years, Hillel has supported Jewish expression and helped to break discriminatory barriers. Its mission is to enrich the lives of Jewish undergraduate and graduate students so that they may enrich the Jewish people around the world. It provides resources to college students, including grants, educational peer-organized trips and Jewish content. It also educates non-Jewish students to help break down religious and cultural barriers. Hillel is open to any interested college student.

Today, Hillel foundations are found in Israel, South America, and the former Soviet Republics. Affiliated organizations are found in Australia, Canada and Great Britain. Hillel students around the world connect Jewish people and understand Jewish life. Over 600 Hillel professionals are at work around the world engaging Jewish students.

By engaging Jewish students and promoting understanding of non-Jewish students, Hillel has been in the forefront of combating anti-Semitism. In light of recent occurrences at the Holocaust Museum, we are reminded of how important organizations such as Hillel are. Organizations that encourage today's young people to understand each other and to fight discrimination are invaluable to future generations.

I ask my colleagues to support this resolution, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, does the gentlewoman from Washington have any further speakers?

Mrs. MCMORRIS RODGERS. I have no additional requests for time. I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, I would like to thank the gentlewoman from Washington also for her fine statement and support of H. Res. 493.

I have no further speakers. I encourage our Members to support H. Res. 493.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in strong support of H. Res. 493, recognizing the significant contributions of Hillel: The Foundation for Jewish Campus Life on college campus communities in the United States and around the world. I would like to thank my colleague Congressman KLEIN for introducing this important resolution and for all of his work to celebrate Jewish life and fight anti-Semitism.

This past weekend, Hillel marked its 85th anniversary. Every day, for the past 85 years, Hillel has worked to fulfill its mission of enriching the lives of Jewish undergraduate and graduate students, helping them to become leaders in their communities.

Founded at the University of Illinois, Urbana-Champaign in 1923 by Rabbi Benjamin Frankel, Hillel has grown to over 500 campuses around the world. Today, Hillel of Illinois is active on 17 campuses across the state, including three in my district alone, providing opportunities for Jewish students to explore their Jewish identity and create vibrant Jewish life on campuses.

Hillel plays a critical role in encouraging students to be leaders in their communities, championing causes including human rights and social justice. Hillel students have been active on issues ranging from civil rights to freeing Soviet Jewry; from halting genocide in Darfur to promoting the U.S.-Israel relationship. Hillel provides students with the opportunity to engage in their communities and around the world.

Today, 85 years after its founding, Hillel is the largest Jewish campus organization in the world. The organization has supported the broader Jewish community during times of trouble and tragedy and has celebrated the community's triumphs. For the past eight decades, Hillel has helped Jewish students connect with their history, culture, and identity at a crucial moment of self-discovery in their own lives.

I urge my colleagues to join me in supporting this resolution to recognize Hillel on its 85th anniversary.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand here today to urge the passage of H. Res. 493, which recognizes the significant contributions of Hillel: The Foundation for Jewish Campus Life to college campus communities in the United States and around the world. The Hillel program was founded at the University of Illinois, Urbana-Champaign in 1923 and has become the world's largest Jewish campus organization, serving Jewish college students on over 500 campuses worldwide. Since its inception, Hillel has been an important partner to universities by providing resources, programs, and other forms of support to the entire campus community. For over 80 years, Hillel has been at the forefront of breaking down discriminatory barriers to students of all backgrounds on college campuses. Hillel has sought to promote racial tolerance and equality, and for its accomplishments in this arena, Hillel should be recognized.

Moreover, Hillel has been at the forefront in contributing to the Nation's achievements in science, industry, and the humanities by helping generations of students attain the dream of higher education. This incredible and multi-faceted program has made its mark on United States history by providing armed service personnel with counseling prior to World War II, welcoming GIs back to campus following the war, and sponsoring European refugees on campuses during and after the war, including the late Chairman of the House Foreign Affairs Committee, Tom Lantos.

In the realm of social justice issues, Hillel has educated students and has helped them to provide leadership for the civil rights movement, the campaign to free Soviet Jewry, the effort to stop the genocide in Darfur. As a Member of the Foreign Affairs Committee, and Subcommittee on Africa and Global Health, I have worked tirelessly to pass legislation that will halt the genocide in Darfur. The crimes being committed against the people of Sudan are unimaginable, and we must not for a moment forget that they are ongoing. This is an issue I hold near to me, and I commend Hillel

for taking on this important and necessary reform.

Hillel has continued to promote AIDS Awareness and interfaith understanding, and has been at the forefront of educating campuses about Israel, an ally of the United States. Such wide reaching tenets of social reform are to be commended, applauded and recognized. H. Res. 493 achieves all three.

In further promulgation of tolerance and respect, Hillel has helped to provide students with the tools to combat anti-Semitism on campus; and Hillel continues to contribute enormously to civil society by providing service-learning opportunities for thousands of students in the United States and abroad.

I stand here today, as a supporter of Hillel's mission of service and education to Jewish college students and beyond, and as a partner with college campus communities, and I congratulate the students, lay leaders, and professionals who are part of the Hillel movement on reaching its milestone 85th birthday.

Mr. SABLAN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 493.

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

A motion to reconsider was laid on the table.

RECOGNIZING CONTRIBUTIONS OF FATHERS

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 428) recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 428

Whereas fathers factor significantly in the lives of children;

Whereas fathers play an important role in teaching their children life lessons and preparing them to succeed in school and in life;

Whereas children with involved fathers are more likely to do well in school, have a better sense of well-being, and have fewer behavioral problems;

Whereas supportive fathers promote the positive physical, social, emotional, moral, and mental development of children;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas, when fathers are actively involved in the upbringing of children, the children demonstrate greater self-control and a greater ability to take initiative;

Whereas responsible fatherhood can help reduce child poverty;

Whereas responsible fatherhood strengthens families and communities; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the millions of fathers who serve as a wonderful, caring parent for their children;

(2) calls on fathers across the United States to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children;

(3) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the mental, moral, social, academic, emotional, physical, and spiritual development of children; and

(4) encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 428 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 428, which recognizes the immeasurable contributions fathers make in the healthy development of children. On June 21, our Nation will celebrate Father's Day. Many times fathers know just what to say at the most delicate times in our lives. They encourage their children to do their best and show them their dreams are possible. Fortunately, involved fathers can help prepare children to succeed in school, enhance children's emotional development, and reduce childhood poverty. By playing a significant role in the lives of children, active fathers provide additional support for children to succeed.

Fathers create great memories with their children. By going to ball games, ballet recitals, school events, and other similar activities, fathers can generate lasting memories for their kids. Fathers, as role models and mentors, help youth reach their potential.

Unfortunately, many children grow up without fathers. Actually, 25 million children, one out of three, grow up in homes in which their biological fathers do not live. These children are significantly more likely to live in poverty, drop out of school, and engage in risky behavior.

It's imperative that our Nation support parents in their efforts to raise their children. Parenting is an essential part of a child's development, and both mothers and fathers should be best equipped to raise their children.

Today, home visiting programs are great ways to inform parents about the resources they have available. These programs work closely with parents to help fathers and mothers support their children's development.

H. Res. 428 commends the millions of fathers who serve as a wonderful, caring parent for their children. As Father's Day approaches on June 21, this legislation asks fathers to take time out to reconnect with their children. Father's Day can be used to express love and support for their children.

I also want to note that my wife, Andrea, and my daughter, Patricia, are here in the House gallery today. My son, Jesse, will be here soon as well. Celebrating Father's Day with the three of them here in Washington will make the holiday especially meaningful for me this year, and I am grateful to have this time to spend with my children.

Let us celebrate Father's Day and recognize our Nation's great fathers who, every day, are making important contributions in the lives of their children.

Mr. Speaker, once again, I express my support of House Resolution 428, wish fathers across this country a very happy Father's Day, and acknowledge the importance of fathers in the United States.

I want to thank Representative MCINTYRE for bringing this resolution forward.

I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 428, which recognizes the immeasurable contributions of fathers in the healthy development of children, supporting reasonable and responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

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Here is a quote: ''One father is more than a hundred schoolmasters.''

George Herbert, the English clergyman and poet, made this statement hundreds of years ago, but it still rings true today. The presence of a father is one of the most important factors in a child's life. In fact, research has consistently shown that the presence of two committed, involved parents directly contributes to better academic performance, reduced substance abuse, less crime and delinquency, fewer emotional and other behavioral problems, less risk of abuse or neglect, and a lower risk of teen suicide.

Research conducted by the National Fatherhood Initiative shows that 24 million children do not live with their biological fathers, that nearly 20 million live in single-parent households and that about 40 percent of children in father-absent homes have not seen their fathers at all in the past year; 26 percent of absent fathers live in different States than their children, and

50 percent of children living absent their fathers have never set foot in their fathers' homes.

These figures are sobering and serve to remind us all of the importance of promoting fatherhood in the country. Our communities, churches and families must work to ensure that every child in the United States grows up with the love, involvement and commitment of a responsible father.

Fathers also have a responsibility to set aside quality time with their children in ways that can contribute to the well-being of their sons and daughters. Fathers need to realize that the time they spend with their children is really an investment in them. While each father is a unique person who parents in his own style, there are some characteristics that good fathers have in common.

We all know that fathers play a significant role in shaping the characters of their children. By spending time with their sons and daughters, being stern yet fair disciplinarians and by listening to their experiences, fathers mold and shape children into the men and women the children will become. As advisers and role models, fathers help their children to understand the difference between right and wrong and how the decisions they make today can affect the rest of their lives. By demonstrating true leadership, fathers instill important values and prepare their children for the challenges and opportunities ahead. Their love and devotion inspire the future generation of Americans to achieve their dreams and demonstrate the true spirit of our country.

A father is one of the most important influences in a child's life. I want to commend the millions of fathers who are wonderful, caring parents to their children. I also want to challenge those who are not to reconnect and to rededicate themselves to their children's lives. I urge all fathers to understand the level of responsibility they have emotionally, physically and spiritually. On Father's Day and every day, we honor our fathers and celebrate them.

I am honored to rise today to support this resolution. I ask my colleagues to support it.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, does the gentlewoman from Washington have any further speakers?

Mrs. MCMORRIS RODGERS. No, I do not.

Does the gentleman have anymore speakers?

Mr. SABLAN. No, I do not.

I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I have no additional requests for time. I urge my colleagues to support the resolution.

I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, I would just like to commend the gentlewoman from Washington for such eloquent statements about fathers, which brings back this close memory of my father, who is 8,000 miles away at this time. I will call him up after this, later on today.

I have no further speakers. I do encourage everyone to please support H. Res. 428.

Mr. MCINTYRE. Mr. Speaker, I rise in strong support of H. Res. 428, a resolution that recognizes the immeasurable contributions of fathers in the healthy development of children, supports responsible fatherhood, and encourages greater involvement of fathers in the lives of their children, especially on Father's Day.

Six days from now, our nation will celebrate the special place that fathers have in our country.

From helping with homework to playing ball to reading a book to offering advice and support and to just listening, each and every day fathers of all ages contribute to the mental, moral, and spiritual development of children, teenagers, and adults.

According to the National Fatherhood Initiative, children with involved, loving fathers are significantly more likely to do well in school, have a healthy self esteem, exhibit empathy and good behavior, and avoid high risk activity such as drug use and criminal activity.

H. Res. 428 recognizes the commitment of fathers, and the wonderful work that both parents do on behalf of their kids, and I encourage my colleagues to join with us as we all recommit ourselves to being the best father we can to children everywhere.

And in conclusion, I would like to publicly thank my father for the great example he has been to me and for the dedication and support he has shown in my every endeavor.

It is because of his support and love that I have been a devoted son to my father who taught me so much, as well as finding great joy in being a committed father of two.

Mr. SABLAN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 428.

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

A motion to reconsider was laid on the table.

PHYLICIA'S LAW

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 729) to help keep students safe on school-run, overnight, off-premises field trips, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 729

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

SECTION 1. SHORT TITLE.

This Act may be cited as ''Phylicia's Law''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Students achieve their full academic potential when they have the ability to learn in a safe and secure environment.

(2) Off-campus school trips comprise an integral part of the educational experience for our Nation's students. Each year millions of students enjoy these trips, which provide them with invaluable learning opportunities outside the classroom.

(3) There exists no Federal law requiring public schools to develop safety plans for off-premises, overnight, school-sponsored trips.

SEC. 3. SCHOOL SAFETY PLAN.

(a) REQUIREMENTS FOR LOCAL EDUCATIONAL AGENCIES.—Each local educational agency that receives funds under part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7101 et seq.) shall develop and make publicly available a written school safety policy for off-premises, overnight field trips.

(b) GUIDANCE FROM SECRETARY OF EDUCATION.—Congress encourages the Secretary of Education to provide guidance to local educational agencies described in subsection (a) by taking the steps necessary, such as hosting a conference of interested parties, to assist in developing a model school safety policy that meets the requirements described in such subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on H.R. 729 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 729, which is a bill that helps keeps students safe on school-run, overnight, off-premises field trips.

In April 2007, Phylicia Moore, a high school senior, died while participating in a field trip in Ghana. Her death, ruled an accident by authorities in Ghana, is undergoing further investigation by the Federal Bureau of Investigation. The tragedy of Phylicia's death exposed a flaw in the system, and it has served as a reminder of the importance of having procedures in place when students participate in overnight field trips.

The legislation put forward today will go a long way towards keeping students safe. This bill requires school districts to receive money through the Safe and Drug-Free Schools program to develop and make public school safety policy for off-premises, overnight field trips. The bill would further encourage the Secretary of Education to develop model school safety plans and to disseminate those best practices to school districts.

Trips, like the one that Phylicia took to Ghana, are intended to change students' lives for the better. It is important to expose our young people to

learning experiences outside the classroom, but we must ensure their safety at the same time. Phylicia had worked a part-time job to cover the cost of the trip, and had raised money for an orphanage and for an AIDS charity in Ghana. Unfortunately, she was never able to experience the country. She passed away on the first night of the trip.

I want to thank Lola and Douglas Moore, the parents of Phylicia, whose hard work has brought national attention to this issue. They have worked through their grief and, fueled by the tragic loss of their child, have toiled tirelessly to keep other parents from experiencing a similar loss. With passage of this bill, Congress has the opportunity to join with this family to prevent future tragedies.

Mr. Speaker, once again, I express my support for Phylicia's Law. I thank Representative ROTHMAN for his dedication in bringing this bill to the floor, and I urge my colleagues to pass this important law.

I reserve the balance of my time.

Mrs. MCMORRIS RODGERS. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 729, Phylicia's Law, which would require school districts that receive funds under the Safe and Drug-Free Schools program to develop and make public a written, district-wide school safety plan governing off-premises, overnight field trips.

As I am sure many of my colleagues are aware, school field trips are an important component of student learning in the education system. Almost every school in the country has programs in place that take elementary and secondary school students to parks, to museums, to nature centers, and to other outdoor settings that provide an important contribution to the learning process.

Researchers have documented the cognitive and effective benefits of field trips, including an increased motivation for learning, a more positive attitude towards science and the acquisition of knowledge and skills. Further, field trips can stimulate interest in a student's future career and can result in an improved attitude toward school.

At the same time, many schools and school districts also sponsor overnight field trips, such as overnight camping trips or academic events, where students travel sometimes long distances to compete with other students. In these situations, it is vitally important that school districts have safety plans in place so that the students can feel safe. It is important that there are policies in place to address emergency situations that may occur.

The sobering reality of the reason this bill is on the floor today is due to the tragic circumstances that came to light after a student lost her life while on a 2-week field trip to Ghana with her class. Eighteen-year-old Phylicia Moore was last seen at 10:30 p.m. on April 15, 2007, when she left a group around a hotel pool to go to her room to change. She was found 11 hours later at the bottom of the pool. Chaperones initially said they had checked on the students in their rooms the night before, but later admitted they had not. Phylicia would probably be here today if the buddy system or other protections had been in place.

Experts say that there are a number of best practices a school should follow while on a field trip. It is important for chaperones to know the children in their care. All chaperones should have a concise list of the participants' names, addresses and phone numbers so their parents or guardians can be reached during the hours the chaperones are responsible for their children. A student's information should identify whether he or she has mental, physical or emotional special needs. The more chaperones know about the students in their care the easier it will be for them to feel confident that they can head off potential trouble and can keep everyone on the field trip safe at all times.

A second key to field trip safety is having students look out for each other. It is important for chaperones to have their eyes on the children at every moment possible, but it is impossible for them to respond to every question and to meet every need that arises. Regardless of age, having students use the buddy system is important so that someone is always accountable for the other's whereabouts.

Overnight trips should have reasonable curfews in place that are adhered to. Room checks should be conducted by chaperones on a regular basis, and emergency procedures should be in place should a serious injury or death occur. These policies will help ensure that the trip will be safe and enjoyable for all involved.

Mr. Speaker, this bill does not specify a particular policy that schools must follow when conducting a field trip, but it would merely require school districts that receive funds under the Safe and Drug-Free Schools program to develop and make public a written, district-wide school plan governing off-premises, overnight field trips. Whether on or off campus, we all know that students achieve their full academic potential when they have the ability to learn in a safe and secure environment. This bill will help ensure that learning opportunities outside the school campus can be experienced safely.

I would ask all of my colleagues to support H.R. 729.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I am pleased to recognize the gentleman from New Jersey (Mr. ROTHMAN) for 8 minutes.

Mr. ROTHMAN of New Jersey. I thank the gentleman for the time.

Mr. Speaker, today, we consider legislation that is an important step in protecting our young people as they come to explore this amazing world that we live in.

First, I want to take time to thank my friend, the Education and Labor Chairman GEORGE MILLER. Earlier this year, Chairman MILLER took time from his schedule to meet with Phylicia Moore's parents, Lola and Douglas Moore, and with Phylicia's brother, Christopher. Chairman MILLER heard their heartbreaking story. The legislation we have before us today is a testament to his leadership and to his compassion.

I also want to acknowledge the role played by Secretary of Education Arne Duncan. He also personally met with the Moores. He and his staff have suggested several important improvements to the bill. I am deeply grateful for his personal involvement.

I would also like to thank Ranking Member MCKEON and my colleagues on the other side of the aisle for their bipartisan support of this very important legislation.

I would also like to recognize and to express my gratitude for the endorsements of the National Parent Teacher Association, the National Education Association and the National School Boards Association for this important bill.

Phylicia's Law bears the name of a young woman from my district who was taken from us much too soon. Phylicia Moore was an 18-year-old high school student from Teaneck, New Jersey, who died in April 2007 while on a school-sponsored trip to Ghana.

Today, however, is not about the past. We are here to talk about the future and what we can do to help ensure that no more parents endure what Douglas and Lola Moore have gone through. It is the culmination of the Moores' hard work, the dedication to their daughter and to her memory, and their desire that no other parents suffer as they have that brings us to this moment on the floor of the United States House of Representatives.

As a parent myself, when I send my children to school, I expect them to be safe. I expect them to be just as safe when the school takes them on a field trip off school premises. Public school districts are now required to have safety plans and security procedures in place for the physical campus of their schools. However, there are no such requirements when schools take students off campus for field trips or for any other reason. Phylicia's Law will fix this dangerous omission.

□ 1600

Phylicia's Law will require school districts to develop a safety policy for overnight school trips. However, the bill as written still gives individual schools the leeway to determine their own plans and procedures, which parents will then be able to review before the parents decide if the school district has the right security plan for their child sufficient to allow a parent in good conscience to let their child take this off-campus school trip.

Given that schools already know how to devise their security plans for on-

campus events, this new requirement for off-campus events should not be overly burdensome. On the contrary, I think this new requirement should be welcome as a plan and set of procedures that will help protect everyone on their trip.

With plans and procedures in place, there will be a blueprint for chaperones, for their trip leaders, for students, and for parents, all of whom will want to know what individual roles and responsibilities there are on this trip and what will happen should tragedy strike. We need Phylicia's Law to not only keep children safe but help schools to continue to offer important off-campus learning activities.

Off-campus school trips are an important part of the educational experience of our Nation's students. Each year, millions of our young people enjoy these trips. They provide students with invaluable learning opportunities outside the classroom. Keeping our students safe is paramount, but we also need to continue to provide these essential off-campus educational experiences.

Phylicia Moore was in Ghana on a goodwill trip. She was there to help others. She was a good, caring person. She was brave. She was filled with light. When speaking with Phylicia's parents, Douglas and Lola Moore, it is easy to see how much loved Phylicia was. Douglas and Lola's love helped make Phylicia the wonderful young woman she had become. It is with a heavy heart that I stand here today because nothing will bring this wonderful young woman back. But I commend Phylicia's parents, Douglas and Lola Moore, coming to me about Phylicia's Law, for caring about other parents and children, and I hope that we can get Phylicia's Law passed for them, for their daughter, and to make sure that parents across the country never have to face the pain that the Moores will continue to live with.

I urge my colleagues to stand up for students and parents across this country by supporting this bill.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I would like to yield such time as he may consume to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, it is heartwarming and touching to hear the tribute to Phylicia Moore by my colleague from New Jersey, a very touching and well-deserved tribute. This bill obviously is borne out of the noblest of intentions and came, unfortunately, from a tragic consequence.

Obviously, the intention here is to safeguard our schoolchildren. Could there be any more noble intention? The effect, though, unfortunately, is to further take the Federal Government into the local schools—we've already intruded greatly into the local schools—and tell them what they must do.

Initially, it's to come up with a plan. There should be a plan. There should have been a plan. There should have been more direction from the local school, from the school board. I know from my own circumstances growing up going to school in a public school, the school board wouldn't allow us to take 2-week trips, and had anyone been allowed to take such a field trip, then they would likely have been defeated in the next school board election, because if you look at the Constitution, the Founders realized the best control is local control for so many of these issues.

There needs to be accountability. There should be accountability. I got into a rather testy discussion with our former Secretary of Education, Secretary Spellings, because Secretary Spellings, as did our immediately previous President, wanted to engage and dictate educational policy to the local schools. I didn't agree with that. I felt it was inappropriate.

Secretary Spellings at one point said, Well, if you liked what I did when I was in Austin, you ought to love what I'm doing in Washington. I said, No, because the 10th Amendment says that if a power is not specifically enumerated, it's reserved to the States and the people. When you were in Austin, you were part of the State. It was a reserved power for you. At this time, though, you're acting outside that parameter, and I don't appreciate all of the dictation from Washington. It was true under the previous administration and it's true today. It was true when the Constitution was founded.

I think the tribute to Phylicia Moore is well-deserved. She sounds like a wonderful young lady, and there is no way there could be adequate compensation or action to lessen the hurt adequately of those who loved her and suffered from her loss. But here again, this would usurp further what the previous administration did in dictating local policy. And I understand the amendment now simply requires that a policy be put in place, and that's better, but we know in the days ahead how that normally works, then someone else more zealous comes forward and says, And the policy must include this and this and this.

So I still believe the best school control is local control, State control, and holding school board members responsible to the local electorate.

I would support any tribute to Phylicia Moore and to the efforts this wonderful young lady was trying to exert on behalf of others, but I would oppose another dictation from Washington on what a local school board must do. Let's keep that control back in the local school board.

And I see my friend from New Jersey is ready to speak. I yield to the gentleman.

Mr. ROTHMAN. I thank the gentleman.

The gentleman has expressed, I think, an important concern with regards to those powers that are not deemed already provided to the Federal Government with regards to the State should not be expanded. However, there are many, many instances—whether it be clean water standards or clean air standards or seatbelt standards for cars; the list is endless—to protect the public safety and good health of our people that the Federal Legislature, made up of 435 of us from all over the country, provide the minimum standards of safety that we wish to have in each of the 50 States.

But recognizing the general intention of the gentleman's objection, we changed the law to make it even more local community friendly this way. We said, We're not going to tell the local school districts what plan to have. Whatever plan they come up with is fine, period. All we require them to do is to have a plan or not have a plan but simply tell the parents, We have no plan, or, Here is our plan. This is to empower parents to make an informed judgment as to whether they want to put their children's safety in the hands of this particular school district if and when the school district decides they want to go on a school trip. I think that's why it has received bipartisan support.

I'm a former local mayor, former judge myself, and I'm very sensitive to too much intrusion in the local decisionmaking. This simply says to the school districts have a plan or don't have a plan, but you have got to tell the parents and let them make their judgment on the validity of the plan so that they can decide, as a parent, then, whether they want to go forth.

This is not just a tribute to Phylicia, although it is in some part. It is an effort to prevent these tragedies from happening again. That's why the National Parent-Teacher Association, the National School Boards Association, and the National Education Association, as well as colleagues on both sides of the aisle, have supported it.

I thank the gentleman for yielding.

Mr. GOHMERT. Thank you, and reclaiming my time, I did want to yield to you because I wasn't sure with the way the conversation was going if you had adequate time to respond, and I wanted to give you the chance and have the time to do so.

And I do appreciate the gentleman's position. And I would say that if it pertained to school trips, field trips that crossed State lines, and particularly here where it went to another country, certainly I would join in support for perhaps even further requirements than the minimum that has been offered here.

But since that's not the case, I would be in opposition to a further dictation from Washington of any requirements and would encourage every single person, Mr. Speaker, in America to start monitoring your local school board. Hold them accountable, and if they're taking actions that are irresponsible, negligent, inappropriate, then fire them by electing someone else.

Mr. SABLAN. Does the gentlewoman from Washington have any additional speakers?

Mrs. MCMORRIS RODGERS. I have no further speakers.

I urge my colleagues to support the resolution legislation.

I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, again, I urge my colleagues from both sides of the aisle to support H.R. 729, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and pass the bill, H.R. 729, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

STUDENT INTERNET SAFETY ACT OF 2009

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 780) to amend the Elementary and Secondary Education Act of 1965 to promote the safe use of the Internet by students, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 780

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Student Internet Safety Act of 2009''.

SEC. 2. PROMOTING THE SAFE USE OF THE INTERNET BY STUDENTS.

Each local educational agency that receives funds under part D of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6751 et seq.) or part A of title IV of such Act (20 U.S.C. 7101 et seq.) may use such funds to develop and implement programs that promote the safe use of the Internet by students, such as programs that—

(1) educate students about appropriate online behavior, including interacting with individuals on social networking Web sites and in chat rooms;

(2) protect students against online predators, cyberbullying, or unwanted exposure to inappropriate material; or

(3) promote involvement by parents in the use of the Internet by their children.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 780 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of the Student Internet Safety Act of 2009. In a world where we rely on the Internet for a variety of purposes, including education, we need to ensure that today's youth are taught how to safely navigate the World Wide Web.

Recent research shows that 93 percent of all children between the ages of 12 and 17 are online. Additionally, the average child between the ages of 2 and 11 years old views more online video than his or her parents. Clearly, it is time that we ensure children are taught healthy, safe and smart ways to utilize their time online.

Too often our news is filled with stories of students falling victim to cyberbullying, cyberstalking, and other forms of online harassment. With students' use of online social networking sites growing at a very rapid pace and an abundance of material inappropriate for children on the Internet, these threats show no sign of decreasing. We must begin taking steps to provide our children with guidance and instructions on how to be safe in an increasingly digital world. By promoting programs that educate children on Internet safety and increased parental involvement, the Student Internet Safety Act will help us begin to stem the tide of these alarming threats to today's youth.

When navigated safely and correctly, the Internet can provide students with a remarkable resource to get help with homework, do research for school projects, virtually tour historical sites, explore special interests, and share information with peers around the world. Mr. Speaker, it is our responsibility to make sure children are protected from and educated about the numerous online threats in order to maximize the priceless opportunities to advance learning that the digital world provides.

According to a Microsoft survey of parents, at least 56 percent of children access the Internet from school for a variety of purposes. This number will increase as we move forward. This legislation is a vital step towards promoting the safe use of the Internet by students.

Mr. Speaker, I thank Representative PUTNAM of Florida for introducing this legislation, and I once again express my support for this legislation.

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

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 780, the Student Internet Safety Act of 2009, which was introduced by my friend and colleague, Representative ADAM PUTNAM.

This bill will allow local education agencies that receive Federal funds under the Safe and Drug Free Schools State Grants program and the Education Technology State Grants program to spend those dollars on developing and implementing programs that promote the safe use of the Internet by students. This important bill would allow school districts to use Federal funds to educate their students about appropriate online behavior, including interacting with individuals on social networking Web sites and in chat rooms. They could also use the funds to protect students against online predators, cyberbullying, or unwanted exposure to inappropriate materials, or promote involvement by parents in the use of the Internet by their children.

The Internet is a technological advancement that can be extremely useful for students, educators, and parents. Today, almost every public school in the United States has Internet access, and 79 percent of high school students use the Internet on a daily basis, including looking for information to assist them with their school work. These statistics are impressive and would have been unheard of a decade ago, but they demonstrate the changing nature of technology in our Nation's schools.

Today's youngest generation is the first generation to be born into a world proliferated by the Internet. These students use the Internet almost every day. From email, to social networking sites, to online interactive teaching forums, online encyclopedias, the Internet provides students and teachers with numerous tools and benefits every day.

However, there are many dangers inherent with technology as well. Children, especially young children, are at risk of becoming victims of numerous Internet-related crimes, including child pornography, cyberstalking, predators posing as children, or even more heinous crimes, including murder and rape. In addition to falling victim to Internet-related crimes, children can be exposed to age-inappropriate or harmful materials while browsing the Internet or conducting research for homework.

We know that the most effective way to prevent children from becoming victims of Internet-related crimes is to educate them as to how to avoid dangerous situations. There are several Internet sites and software programs that advise parents on how to talk about the subject with their children: what the dangers are, how to teach children to avoid them, and how best to monitor their children's Internet activities at home and at school. And public schools that receive funds under the Educational Technology State Grant programs are required to have Internet filtering software that limits what sites children can access from school computers.

However, many schools struggle to provide some form of Internet safety education or purchase this important software which would protect students against Internet crimes. It is clear that while much is being done, much more is required of us as the use of technology continues to expand.

H.R. 780, the Student Internet Safety Act, will ensure that schools and school districts provide students with the tools they need to use the Internet in a safe and secure manner to further their education. In today's world of Internet technology and global communication, a child's safety must be our number one priority.

I want to thank my colleague, Mr. PUTNAM, for introducing this important piece of legislation. I am proud to rise in support of it and ask my colleagues to support this bill that will promote the safe use of the Internet by students.

Mr. Speaker, I have no additional requests for time. I urge my colleagues to support the legislation and yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, I would like to say that the gentlewoman from Washington, I recognize her very fine eloquent statements about the Student Internet Safety Act of 2009. I urge my colleagues to support the passage of this act.

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

The SPEAKER pro tempore (Mr. ROTHMAN of New Jersey). The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and pass the bill, H.R. 780, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECOGNIZING WINSTON CHURCHILL MEMORIAL IN FULTON, MISSOURI

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 390) recognizing the Winston Churchill Memorial and Library in Fulton, Missouri, as ''America's National Churchill Museum,'' and commending its efforts to recognize the importance of the historic legacy of Sir Winston Churchill and to educate the people of the United States about his legacy of character, leadership, and citizenship, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 390

Whereas the Winston Churchill Memorial and Library in Fulton, Missouri, was built in 1964 and opened to the public in 1969 to honor Sir Winston Churchill and to commemorate his famous speech, the ''Sinews of Peace'';

Whereas it was during the delivery of the ''Sinews of Peace'' speech on the campus of Westminster College, in Fulton, in 1946, that Sir Winston Churchill uttered the famous phrase, ''an iron curtain has descended'', capturing the essence of the emerging Cold War;

Whereas Westminster College built the original Winston Churchill Memorial, and is responsible for the finances, operations, and collections management of the Winston Churchill Memorial and Library;

Whereas the Winston Churchill Memorial and Library closed for significant renovations in 2005, and was transformed into a state-of-the-art museum that reopened on March 5, 2006, in recognition of the 60th anniversary of Sir Winston Churchill's delivery of the ''Sinews of Peace'' speech;

Whereas the Winston Churchill Memorial and Library now features many new exhibits and an expanded research library and archives, which more effectively incorporate the many thousands of historical resources that the Memorial and Library possesses;

Whereas the Winston Churchill Memorial and Library now better honors Sir Winston Churchill's contributions to the fields of art and literature and provides an enhanced historical and political analysis of his career because of the recent renovations and improvements;

Whereas the leadership of Sir Winston Churchill during World War I, World War II, and the Cold War played a vital role in shaping the history of the United States and the world, and sacrifices made by Sir Winston Churchill and other leaders during those conflicts preserved liberty, democracy, and other founding principles of the United States for generations to come;

Whereas the ''Lessons of Leadership'' educational outreach programs offered by the Winston Churchill Memorial and Library use the resources of the Memorial and Library to educate teachers and students about the life and leadership of Sir Winston Churchill throughout World War I, World War II, and the Cold War by means of on-site visits, classroom curriculum development, distance learning, and other educational initiatives;

Whereas Sir Winston Churchill's mother was a United States citizen and he was proud of his heritage from and connections to the United States; and

Whereas President John F. Kennedy, in 1963, declared Sir Winston Churchill an Honorary Citizen of the United States, the first person to be so honored: Now, therefore, be it

Resolved, That the House of Representatives recognizes—

(1) the Winston Churchill Memorial and Library in Fulton, Missouri, as ''America's National Churchill Museum'';

(2) the importance of the continuing collection, preservation, and interpretation of the historical materials held by the Winston Churchill Memorial and Library toward enhancing the knowledge and understanding of Sir Winston Churchill's historic legacy; and

(3) the immense historical importance of World War I, World War II, and the Cold War, and commends the ''Lessons of Leadership'' offered by the Winston Churchill Museum and Library educational outreach programs about the life and leadership of Sir Winston Churchill during those conflicts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 390 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 390, which recognizes the Winston Churchill Memorial and Library for its work in honoring the historic legacy of the life and leadership of Sir Winston Churchill.

Winston Churchill was born in Blenheim Palace in Woodstock in November 1874. A lifetime military man and politician, Churchill had the vision to recognize the threat that Adolf Hitler posed to the world. He was a staunch critic of appeasement. He supported a strategy of rearmament and military alliance building. His early anti-Nazi position facilitated his transition to the premiership at a time when his countrymen needed him the most.

Winston Churchill contributed to the fields of art and literature. During his early days in the army, he composed military reports for the Daily Telegraph and penned several books, including, ''The Story of the Malakand Field Force,'' ''The River War,'' ''London to Ladysmith,'' ''Liberalism and the Social Problem,'' and ''History of the English-Speaking Peoples.''

The memorial and library was constructed in 1964 and opened to the public in 1969. It is housed in a historic Wren church in Fulton, Missouri, on the campus of Westminster College where Churchill delivered his famous ''Sinews of Peace'' speech. The facility is home to numerous artifacts and information on Sir Winston Churchill. In addition to the story it tells, the museum provides a venue for artistic and historical exhibits, in addition to numerous social and cultural exhibits. It is an important part of Westminster campus life, with students utilizing its resources for research.

I want to thank Representative LUETKEMEYER for his leadership in bringing this important resolution forward. I ask my colleagues to support this important resolution.

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

Mrs. MCMORRIS RODGERS. Mr. Speaker, I would like to yield such time as he may consume to the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. I am proud to rise today in support of House Resolution 390, a resolution recognizing the Winston Churchill Memorial and Library in Fulton, Missouri, as ''America's National Churchill Museum.''

Before I discuss the details of the bill, I would like to thank the many folks who helped make this possible. First, I want to thank my predecessor in Congress, Kenny Hulshof, who first introduced this resolution in the 110th Congress. Kenny laid the groundwork for the passage of this bill, and I am honored to finish the work that he began.

Also, from the moment I first introduced the resolution, the Missouri delegation was at my side. To be sure, I am extremely pleased that every member of the Missouri delegation signed on as an original cosponsor of my resolution, and I want to thank them for all their continued support.

I also want to thank the many other Members of this body who supported me in this endeavor, many of whom are Churchill enthusiasts themselves. I am truly honored to be in such good company. I look forward to welcoming all of them to my district when they bring their families to visit America's National Churchill Museum.

Most of all, I want to thank President Forsythe, president of Westminster College, at whose campus the museum is located, and his dedicated staff, Angie Robinson, Rob Crouse, and countless others.

I also want to recognize the museum's executive director, Dr. Rod Havers, for his daily devotion, expertise, and passion to the upkeep and expansion of this remarkable museum.

Much has been written about one of the greatest figures of the 20th century, Sir Winston Churchill, a man with a literary bent and a deep devotion to public affairs. He was a Nobel Prize winner, an artist, a keen strategist, and a brilliant politician. He was also instrumental in bringing an end to World War II.

On March 5, 1946, Winston Churchill delivered his historic ''Iron Curtain'' speech on the campus of Westminster College in Fulton, Missouri. With a current population of close to 13,000 and a then-population of 7,000, Fulton was and still is the perfect stopover in the rolling green hills of central Missouri. There, the man Harry Truman called ''that great world citizen,'' Winston Churchill, marked the beginning of the Cold War with the words that were heard around the globe. Today, the speech is regarded as perhaps one of the most important that Churchill ever delivered.

The speech contained certain phrases, ''the special relationship,'' ''the sinews of peace''—which at once entered into general use and which have since survived. However, it's Churchill's mention of the Iron Curtain that attracted immediate international attention and shaped public opinion in the United States and Western Europe. He said, ''From Stettin in the Baltic to Trieste in the Adriatic, an iron curtain has descended across the continent.''

Russian historians date the beginning of the Cold War from this speech. And in its drawing together of several themes to a climax, Churchill's speech may be regarded as one of the finest in the 20th century. It certainly changed the way the democratic West viewed the communist East.

The astounding achievements of Winston Churchill's life are a testament to his dedication to protecting liberty for all people. Churchill did not merely hate tyranny; he despised it, and he reviled communism.

□ 1630

The contempt he breathed for dictators renewed his Iron Curtain speech in Fulton, Missouri, and strengthened the West's faith in the superiority of democracy and the inevitability of its success.

The Winston Churchill Memorial and Library was founded in 1969. The museum is a 16th-century church designed by Christopher Wren that was painstakingly relocated, brick by brick, from London, England, to Fulton, Missouri, and is the only museum in the Nation that exists for the sole purpose of honoring the life and extraordinary legacy of Winston Churchill. I might mention that it underwent a multimillion dollar renovation just a couple years ago.

The bill we consider today recognizes this museum as the world-class facility that it is and the historical significance of the site.

I urge all my colleagues to join me in passing this important legislation.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SABLAN. Mr. Speaker, as I was listening to the gentleman from Missouri make a statement, I couldn't help but notice that the Winston Churchill Memorial and Library is actually a source of pride for him and for his constituents in Missouri, and I encourage my colleagues on both sides of the aisle to please support the passage of House Resolution 390.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 390, as amended.

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

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 15, 2009.

Speaker NANCY PELOSI,
House of Representatives, The Capitol, Washington, DC.

DEAR SPEAKER PELOSI: This letter serves as my intention to resign from the House Committee on Oversight and Government Reform effective today. Thank you.

Sincerely,

TODD RUSSELL PLATTS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RECOGNIZING CIVIL RIGHTS BASEBALL GAME

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 530) commending the purpose of the third annual Civil Rights Baseball Game and recognizing the historical significance of the location of the game in Cincinnati, Ohio.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 530

Whereas the third annual Civil Rights Baseball Game is being held in Cincinnati, Ohio, at the Great American Ballpark on June 20, 2009;

Whereas the Cincinnati Reds, the host of the Civil Rights Baseball Game, are recognized as being the first professional baseball team in the United States;

Whereas the Major League Baseball Civil Rights Game was created to honor those who fought both on and off the field for the equal treatment of all people;

Whereas baseball was at the forefront of the civil rights movement and was integrated before either the Armed Forces or the public schools;

Whereas Cincinnati, Ohio, was home to the Negro League's Cincinnati Tigers from 1934 to 1937;

Whereas Cincinnati, Ohio, was an integral stop along the Underground Railroad as one of the first free ''stations'' slaves would encounter when escaping north; and

Whereas Cincinnati, Ohio, is home to the National Underground Railroad Freedom Center, which opened in 2004: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commend the purpose of the third annual Civil Rights Baseball Game; and

(2) recognize the historical significance of the location of the Civil Rights Baseball Game in Cincinnati, Ohio.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 530 commends the purpose of the third annual Civil Rights Baseball Game and recognizes the historic significance of the location of the Civil Rights Baseball Game in Cincinnati, Ohio.

I want to commend my colleague the gentleman from Cincinnati (Mr. DRIEHAUS) for introducing this legislation. The Civil Rights Baseball Game is an important event, and it deserves to be recognized by the House of Representatives.

The third annual Civil Rights Baseball Game will be played in Cincinnati, Ohio, at the Great American Ballpark on June 20, 2009, between the Cincinnati Reds and the Chicago White Sox. Many celebrities will be in attendance, including Hank Aaron, Muhammad Ali, Bill Cosby, and Bebe Winans. This Major League Baseball game was created to honor those who fought both on and off the field for equal treatment of all people.

The first Civil Rights Baseball Game was played in Memphis, Tennessee, in 2007, between the St. Louis Cardinals and the Cleveland Indians. It was organized as a preseason game, intended to commend the civil rights movement in the United States as part of a larger celebration of the civil rights movement. Memphis was selected for its important role in the history of the civil rights movement.

This year's host city, Cincinnati, Ohio, has a long and rich history in both the game of baseball and in the field of civil rights. Cincinnati was an important stop on the Underground Railroad and is the home of the National Underground Railroad Freedom Center located adjacent to the ballpark. Cincinnati was also home to the Negro League's Cincinnati Tigers from 1934 to 1937, and it was in Cincinnati that the first night baseball game was played in 1935.

Mr. Speaker, baseball has long been considered the great American pastime. It is part of our culture. It reflects the values of teamwork, competition, fair play, and the pursuit of excellence. Baseball was once segregated, as was most of the rest of the country, until Branch Rickey signed Jackie Robinson to play for the Brooklyn Dodgers in 1947. The rest of the Nation would follow in time, but it was on the diamond that we made the most important steps towards ending Jim Crow. As Mr. Rickey said, ''Prejudice has no place in sports, and baseball must recognize that truth if it is to maintain stature as a national game.''

Mr. Speaker, I am pleased to join my colleague from Ohio in honoring the Civil Rights Baseball Game. I urge my colleagues to support this important resolution.

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

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

I do support House Resolution 530, commending the purpose of the third annual Civil Rights Baseball Game.

The third annual Civil Rights Game will be played, as indicated by my friend from Virginia, by the Reds and the White Sox on June 20 at the Great American Ballpark in Cincinnati. It serves as a celebration of the role of sports and the role that they played in advancing equal rights in America.

As part of that celebration, three great Americans will be honored at the game: Muhammad Ali, Bill Cosby, and Hank Aaron. They will receive awards as individuals ''whose lives are emblematic of the spirit of the civil rights movement.''

Mr. Ali was a 10-time heavyweight champion boxer. Since he left the sport, he has engaged in many humanitarian efforts and traveled the world on goodwill missions. Mr. Cosby has spent the last five decades as a comedian, entertainer, and, I would add, philosopher. His life has been a testament to proper handling of race issues. This extraordinary man just went about being the extraordinary person that he is. He has entertained, he has inspired, and he has taught me, for one, for most of my life.

He is the first comedian from whom I bought an album. As I recall, it was ''To Russell, My Brother, Whom I Slept With.'' And I've loved the man ever since. I got to see him recently in concert in Tyler and was as excited as ever. What a delightful man. The way he causes us to realize we all have so many of the same strange, enigmatic traits, fears, aspirations, hopes. His television show was certainly inspirational. He makes us laugh at our faults and makes us want to improve them. As a great American, I look forward to his being recognized there at the Civil Rights Game as well.

Mr. Hank Aaron, as a Hall of Famer who was once the all-time home run leader with 755 home runs—and parenthetically I might add he'll always be my home run leader—but he was a Negro League baseball player before he played for the Braves in both Milwaukee and Atlanta. Mr. Aaron formed the Chasing the Dream Foundation with his wife in 1994 and has given financial support to hundreds of youths that enables them to pursue their talents in music, dance, arts, science, literature, and athletics. His wife, by the way, attended Texas College in Tyler, Texas, where she is on the board of directors. And it has been one of the highlights of my life to get to meet Mr. Aaron on more than one occasion.

It's heartbreaking, heart-rending, to hear some of the hell on Earth he was put through simply because of race. Yet he never wavered. He continued to give everything he had to those tasks put before him. People remember the home-run record, but many do not realize he had over a .300 batting average, .305, I believe, lifetime. Incredible. I once asked him for somebody who was a home-run hitter to hit over .300—most pro-players only dream of hitting .300. He hit home runs and hit over .300. How did you do that? Was there some secret ability you had?

And in his typical humble style, Mr. Aaron said, I was a good guess hitter.

Typical Hank Aaron, humility completely for such an extraordinarily gifted man who used his talents, developed them, and we all know he didn't get where he was without working, persevering. And the heartbreaking part, the assaults verbally and in other ways, the threats that the man endured simply because of the color of his skin, I look forward to him being honored at that game, as he rightfully should be.

The Civil Rights Game also includes a roundtable discussion and youth summit that highlights the role that baseball has played in the civil rights movement. The game has had only a short history itself as a Civil Rights Game, but I would expect it would develop into a fine tradition.

With that, I would urge my colleagues to join in supporting this resolution.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. DRIEHAUS), who represents Cincinnati and is the chief sponsor of the resolution.

Mr. DRIEHAUS. Mr. Speaker, it is certainly my privilege to rise today and bring to the floor this resolution honoring the third annual Civil Rights Game. It is the third annual Civil Rights Game, but it is the first time that this game has been played during the regular season. And we are honored in Cincinnati to have that game at Great American Ballpark. I know Congresswoman JEAN SCHMIDT and I will be looking forward to that event.

And as was mentioned earlier by several of my colleagues, it's not just a baseball game. It's also recognizing great leaders, great leaders who have broken down barriers. That includes at the luncheon that we will be holding Muhammad Ali, Hank Aaron, and Bill Cosby, three giants who have broken down so many barriers amongst them.

□ 1645

I applaud Major League Baseball. I applaud the Cincinnati Reds for choosing Cincinnati as the host of this event.

I would draw your attention to one other aspect of the game, Mr. Speaker, and that is to the Underground Railroad Freedom Center. The Underground Railroad Freedom Center is a stone's throw—a baseball's throw, if you will, from Great American Ballpark. The Underground Railroad Freedom Center, founded in 2002 in Cincinnati, is all about discussing freedom. It's all about being the champion of civil rights. And while it was established to draw attention to the role the city of Cincinnati played and that the people of Cincinnati played in the underground railroad, today it serves as

the vehicle, it serves as the convener of conversations around injustices today and freedoms which are challenged today, making it relevant to you and I and all Americans as we discuss civil rights. So I'm proud to have the Underground Railroad Freedom Center being part of this celebration. I think it is very much appropriate that the Freedom Center is participating in the luncheon, celebrating our heroes. And I am proud to be a Cincinnatian and to welcome this game to the city of Cincinnati. I join with the Cincinnati Reds in thanking Major League Baseball.

Mr. GOHMERT. Mr. Speaker, I continue to reserve my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. COHEN), who represents Memphis, the location of the first Civil Rights Baseball Game.

Mr. COHEN. I would like to thank Mr. SCOTT for the time.

I would like to congratulate Cincinnati on their good fortune to be the host of this game. Memphis was the host for the first two games. The final exhibition game of spring training, the only game that was televised on ESPN, and a great event in our city, where the National Civil Rights Museum exists and the site of civil rights struggles and civil rights victories. We really enjoyed the opportunity to have players honored there, Willie Mays, Minnie Minoso, my hero, and others over the years, who have brought great pride to the city of Memphis where we have the finest minor league baseball park ever constructed, AutoZone Park. We felt that the game should permanently stay in Memphis, but it has moved on.

I want to congratulate Cincinnati, and I congratulate Major League Baseball for having such a game. Jackie Robinson has been immortalized as a civil rights hero whose number 42 was retired by Major League Baseball in an appropriate manner. There were many great players in the Negro baseball leagues who we honored last year with a resolution—such as Satchel Paige, who was written up, I think, in today's New York Times—and the great careers they had, great ballplayers. So it's appropriate that civil rights, which baseball and sports have contributed to so much, be remembered by Major League Baseball. I congratulate Major League Baseball and the city of Cincinnati.

I just want to say to my colleague from Texas—Noah.

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

In conclusion, I would encourage my colleagues to support House Resolution 530. My friend from Tennessee mentioned Satchel Paige. He had some great quotes. Many people quote him as saying, ''Don't look back. They may be gaining on you.'' But I read a quote that I like even better than that, attributed to him later in life, when he said, ''It's okay to look back. Just don't stare.'' And it seems to me that that's what this bill does. We look forward, but we look back. We don't stare, but we recognize the greatness that has gotten us to where we are today.

With that, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself as much time as I may consume.

I thank the gentleman from Ohio for introducing the resolution. I urge my colleagues to support it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 530.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 309, as amended.

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

There was no objection.

PROHIBITING ENFORCEMENT OF FOREIGN DEFAMATION JUDGMENTS

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2765) to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2765

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

SECTION 1. RECOGNITION OF FOREIGN DEFAMATION JUDGMENTS.

(a) IN GENERAL.—Part VI of title 28, United States Code, is amended by adding at the end the following:

''CHAPTER 181—FOREIGN JUDGMENTS

''Sec.
''4101. Definitions.
''4102. Recognition of foreign defamation judgments.
''4103. Attorneys' fees.

''§ 4101. Definitions

''In this chapter:

''(1) DOMESTIC COURT.—The term 'domestic court' means a Federal court or a court of any State.

''(2) FOREIGN COURT.—The term 'foreign court' means a court, administrative body, or other tribunal of a foreign country.

''(3) FOREIGN JUDGMENT.—The term 'foreign judgment' means a final judgment rendered by a foreign court.

''(4) STATE.—The term 'State' means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''§ 4102. Recognition of foreign defamation judgments

''(a) FIRST AMENDMENT CONSIDERATIONS.—Notwithstanding any other provision of Federal or State law, a domestic court shall not recognize or enforce a foreign judgment for defamation whenever the party opposing recognition or enforcement of the judgment claims that the judgment is inconsistent with the first amendment to the Constitution of the United States, unless the domestic court determines that the judgment is consistent with the first amendment. The burden of establishing that the foreign judgment is consistent with the first amendment shall lie with the party seeking recognition or enforcement of the judgment.

''(b) JURISDICTIONAL CONSIDERATIONS.—Notwithstanding any other provision of Federal or State law, a domestic court shall not recognize or enforce a foreign judgment for defamation if the party opposing recognition or enforcement establishes that the exercise of personal jurisdiction over such party by the foreign court that rendered the judgment failed to comport with the due process requirements imposed on domestic courts by the Constitution of the United States.

''(c) JUDGMENT AGAINST PROVIDER OF INTERACTIVE COMPUTER SERVICE.—Notwithstanding any other provision of Federal or State law, a domestic court shall not recognize or enforce a foreign judgment for defamation against the provider of an interactive computer service, as defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), whenever the party opposing recognition or enforcement of the judgment claims that the judgment is inconsistent with such section 230, unless the domestic court determines that the judgment is consistent with such section 230. The burden of establishing that the foreign judgment is consistent with such section 230 shall lie with the party seeking recognition or enforcement of the judgment.

''(d) APPEARANCES NOT A BAR.—An appearance by a party in a foreign court rendering a foreign judgment to which this section applies for the purpose of contesting the foreign court's exercise of jurisdiction in the case, moving the foreign court to abstain from exercising jurisdiction in the case, defending on the merits any claims brought before the foreign court, or for any other purpose, shall not deprive such party of the right to oppose the recognition or enforcement of the judgment under this section.

''§ 4103. Attorneys' fees

''In any action brought in a domestic court to enforce a foreign judgment for defamation, the court may allow the party opposing recognition or enforcement of the judgment a reasonable attorney's fee if such party prevails in the action on a ground specified in subsection (a), (b), or (c).''.

(b) CLERICAL AMENDMENT.—The table of chapters for part VI of title 28, United States Code, is amended by adding at the end the following:

''181. Foreign judgments ..... 4101.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. First I ask unanimous consent that all Members have 5 legislative days to revise and extend their

remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2765 prohibits U.S. courts from recognizing or enforcing foreign defamation judgments that are inconsistent with our First Amendment or fundamental due process. This legislation addresses what has come to be referred to as libel tourism, doing an end run around the First Amendment by suing American authors and publishers for defamation in the courts of foreign countries with more plaintiff-friendly defamation laws, particularly Britain. Britain has become a favorite destination for libel tourists for a number of reasons. First, British law lacks our constitutional free speech protections and instead, specifically disfavors speech critical of public officials and public figures.

Second, British libel law places the burden of proving the truth of the allegedly defamatory statement on the defendant. This distinction has drawn criticism not only from American defenders of free speech but also from the United Nations and even from some Members of the British Parliament.

And third, Britain takes a very expansive view of personal jurisdiction. A British court can exercise personal jurisdiction over a libel defendant if his or her statement, wherever it was made or aimed, can be said to cause ''real or substantial'' harm or injury to reputation in Britain.

Combined with the Internet, this expansive view has rendered American authors and publishers especially vulnerable to libel suits in Britain. As one commentator has said, ''In the Internet age, the British libel laws can bite you no matter where you live.''

H.R. 2765 will deter libel tourists from taking advantage of these differences in the laws of Britain and other foreign jurisdictions and our precious First Amendment by imposing important limitations on the enforcement of foreign defamation judgments in our courts. Under the bill, a U.S. court cannot enforce a foreign defamation judgment inconsistent with the First Amendment to our Constitution or when the foreign court's exercise of personal jurisdiction over the defendant does not comport with our due process requirements. And a U.S. court cannot enforce a foreign defamation judgment against an interactive computer service if doing so is inconsistent with section 230 of the Communications Act of 1934. This will ensure that libel tourists cannot chill speech by suing a third-party interactive computer service rather than the actual author of the statement.

Finally, the bill allows a court to award attorney's fees to the party resisting enforcement of the foreign judgment if that party prevails. This puts some added teeth in the bill. That was a recommendation at our hearing on the bill. This will not only compensate the American author or publishers for the expense of defending a nonmeritorious enforcement action but will help dissuade the would-be libel tourist from putting them to that expense in the first place.

I am joined in introducing this legislation by my colleague DARRELL ISSA of California. Last year our bill passed the House overwhelmingly, and I ask my colleagues to support it again this year. I would like to thank Judiciary Committee Chairman JOHN CONYERS and Ranking Member LAMAR SMITH and all the cosponsors of this bill for their help and support in bringing it to this point.

I reserve the balance of my time.

Mr. GOHMERT. Mr. Speaker, I recognize myself for such time as I may consume.

Thomas Jefferson observed that ''the only security of all is in a free press. The agitation it produces must be submitted to. It is necessary to keep the waters pure.'' Were he alive today, Jefferson would not take too kindly to libel tourists, the subject of H.R. 2765. Oh, it seems true that some U.S. media more recently have become fan clubs rather than objective pursuers of truth, but there are still some very dedicated journalists in the United States who should be free from harassment from inappropriate libel suits in overseas courts.

In the wake of 9/11, the American media have become increasingly alarmed over a phenomenon called libel tourism. The term refers to the subject of a critical news story suing an American author or reporter of an article, story or book for defamation in a plaintiff-friendly overseas or foreign forum. These suits are filed mostly in Great Britain, as its libel and slander laws provide writers and journalists with less protection than those under the U.S. system that honors a First Amendment and a free press. Persons identified in news stories as terrorists or terrorist sympathizers have brought some of the higher-profile suits.

So how would American courts treat foreign judgments that clash with American legal values under this bill? A foreign judgment will not be enforced in the U.S. court when the foreign judgment is offensive to State public policy or the Constitution. And that's what this bill does.

Last September, as my friend from Tennessee indicated, the House passed a libel tourism bill that codified existing U.S. treatment of the subject. The other body did not act on the measure. So we revisit the issue today, better informed, thanks to a subcommittee hearing, full committee markup and substantial input by legal experts on the subject matter.

H.R. 2765 contains four major provisions, as my colleague from Tennessee has outlined.

Mr. Speaker, this bipartisan legislation provides appropriate and necessary protection for U.S. journalists and authors and represents the strongest constitutionally sound policy in response to libel tourism. The issue has been thoroughly considered by the Judiciary Committee, and I would urge Members to support H.R. 2765.

Mr. Speaker, I have no further speakers. So when my colleague across the aisle is ready to close, I will likewise be ready.

Mr. COHEN. Mr. Speaker, I would like to withdraw the motion.

The SPEAKER pro tempore. The motion to suspend the rules and pass H.R. 2765 is withdrawn.

PROHIBITING ENFORCEMENT OF FOREIGN DEFAMATION JUDGMENTS

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2765) to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 2765

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

SECTION 1. RECOGNITION OF FOREIGN DEFAMATION JUDGMENTS.

(a) IN GENERAL.—Part VI of title 28, United States Code, is amended by adding at the end the following:

"CHAPTER 181—FOREIGN JUDGMENTS

''Sec.
''4101. Definitions.
''4102. Recognition of foreign defamation judgments.
''4103. Attorneys' fees.

"§ 4101. Definitions

''In this chapter:

''(1) DOMESTIC COURT.—The term 'domestic court' means a Federal court or a court of any State.

''(2) FOREIGN COURT.—The term 'foreign court' means a court, administrative body, or other tribunal of a foreign country.

''(3) FOREIGN JUDGMENT.—The term 'foreign judgment' means a final judgment rendered by a foreign court.

''(4) STATE.—The term 'State' means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

"§ 4102. Recognition of foreign defamation judgments

''(a) FIRST AMENDMENT CONSIDERATIONS.—Notwithstanding any other provision of Federal or State law, a domestic court shall not recognize or enforce a foreign judgment for defamation whenever the party opposing recognition or enforcement of the judgment claims that the judgment is inconsistent with the first amendment to the Constitution of the United States, unless the domestic court determines that the judgment is consistent with the first amendment. The burden of establishing that the foreign judgment is consistent with the first amendment shall lie with the party seeking recognition or enforcement of the judgment.

''(b) JURISDICTIONAL CONSIDERATIONS.—Notwithstanding any other provision of Federal or State law, a domestic court shall not recognize or enforce a foreign judgment for defamation if the party opposing recognition or

enforcement establishes that the exercise of personal jurisdiction over such party by the foreign court that rendered the judgment failed to comport with the due process requirements imposed on domestic courts by the Constitution of the United States.

''(c) JUDGMENT AGAINST PROVIDER OF INTERACTIVE COMPUTER SERVICE.—Notwithstanding any other provision of Federal or State law, a domestic court shall not recognize or enforce a foreign judgment for defamation against the provider of an interactive computer service, as defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), whenever the party opposing recognition or enforcement of the judgment claims that the judgment is inconsistent with such section 230, unless the domestic court determines that the judgment is consistent with such section 230. The burden of establishing that the foreign judgment is consistent with such section 230 shall lie with the party seeking recognition or enforcement of the judgment.

''(d) APPEARANCES NOT A BAR.—An appearance by a party in a foreign court rendering a foreign judgment to which this section applies for the purpose of contesting the foreign court's exercise of jurisdiction in the case, moving the foreign court to abstain from exercising jurisdiction in the case, defending on the merits any claims brought before the foreign court, or for any other purpose, shall not deprive such party of the right to oppose the recognition or enforcement of the judgment under this section.

''§ 4103. Attorneys' fees

''In any action brought in a domestic court to enforce a foreign judgment for defamation, the court may allow the party opposing recognition or enforcement of the judgment a reasonable attorney's fee if such party prevails in the action on a ground specified in subsection (a), (b), or (c) of section 4102.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part VI of title 28, United States Code, is amended by adding at the end the following:

''181. Foreign Judgments ..... 4101''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I once again ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

□ 1700

Mr. COHEN. Mr. Speaker, I reserve my time and ask if the gentleman from Texas would like to yield back his time, wherefore I will yield mine.

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

The comments I made previously were with regard to this bill, as amended, so I would ask that the RECORD so reflect, and since a lot of people have difficulty hearing me speak very long because of the accent, I won't repeat those comments.

I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I appreciate the gentleman from Texas, and I understand him clear and well. Some people don't understand us as well as we understand each other.

I would like to also request that the previous remarks that I made be incorporated by reference onto this bill.

Mr. KING of New York. Mr. Speaker, today I rise in support of H.R. 2765, legislation that would prohibit the recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services. This bill, like legislation (Free Speech Protection Act) that I introduced earlier this year attempts to deal with the issue of ''libel tourism'' that threatens not only Americans' first amendment freedom of speech but also their ability to inform the general public about existential threats; namely, who are the terrorists and who are their financial backers.

Let me begin by stating the main threat posed by libel tourism is not just the clever exploitation of foreign courts' libel laws to win financial judgments against American authors. It's not even the risk that Americans are losing their First Amendment guarantee of freedom of speech (although that is quite troubling). The danger is that foreign individuals are operating a scheme to intimidate authors and publishers from even exercising that right. And it's actually scarier because, in many of these cases, the journalists are trying to write on topics of national and homeland security. Therefore it is imperative that Congress address the issue and pass legislation to stop this nefarious activity at once.

The issue of ''libel tourism'' threatens not only Americans' First Amendment freedom of speech but also their ability to inform the general public about existential threats; namely, the identity of terrorists and their financial supporters. As the Ranking Member of the Committee on Homeland Security, it is my duty to oversee policies for protecting our nation from potential terrorist attacks—a charge I take very seriously. I receive regular classified briefings on dangerous plots to attack the United States so I know just how grave these threats are. We cannot allow foreigners the ability to muzzle Americans for speaking the truth about these dangers!

Libel tourism is a recent phenomenon in which certain individuals attempt to obstruct the free expression rights of Americans (and the vital interest of the American people) by seeking out foreign jurisdictions (''forum shopping'') that do not provide the full extent of free-speech protection that is enshrined in our First Amendment. Some of these actions are intended not only to suppress the free speech rights of journalists and others but also to intimidate publishers and other organizations from disseminating or supporting their work.

Unlike in the United States where the burden of proof is on the plaintiff to show that the publication was not only false but also malicious, in countries such as the United Kingdom it is actually the reverse. And some of these ''tourists'' claims of jurisdiction are tenuous at best. In many cases, not only are none of the individuals (author, litigant, or publisher) associated with the case living in the venue of jurisdiction, but the books aren't even published there. These ''libel tourists'' stretch the law by claiming a handful of copies of the book purchased over the internet and delivered to an address in a foreign country gives them standing.

Since the burden of proof is on the author in the United Kingdom, the author must then hire an attorney, travel to the foreign country, and defend herself or likely face a default judgment. Consequences include, but are not limited to, stiff fines, outrageous public apologies, the removal of books from bookstores and libraries, or even their destruction.

We cannot change other countries' (libel) laws, nor would we want to. We must respect their laws, as they ought to respect ours. However, we cannot allow foreign citizens to exploit these courts to endanger Americans' First Amendment protected speech; especially, when the subject matter is of such grave importance as terrorism and those who finance it.

Just to be clear, we're not talking about journalists who carelessly or maliciously slander an individual. In this case we're talking about authors who, after conducting exhaustive research and carefully sourcing their work, are providing us glimpses into a dark and secretive world. We ought to rely on a variety of sources for this information and we cannot allow foreign litigants or foreign courts to tell us what can be written or published in the United States. That is a dangerous path we do not want to follow.

Some of the plaintiffs bringing such suits are intentionally and strategically refraining from filing their suits in the United States, even though the speech at issue was published in the United States, to avoid the First Amendment protections that Americans enjoy.

But this issue is also very troubling for the authors, journalists, and even publishers who attempt to write on these subjects. Already we have seen examples of authors having difficulty getting their articles or books published because publishers fear of being sued overseas. Some companies have even gone as far as to pay large settlements at the mere threat of legal actions. So not only are authors being injured for the works they have previously written but they and their publishers are being intimidated from writing future articles on these important topics. The free expression and publication by journalists, academics, commentators, experts, and others of the information they uncover and develop through investigative research and study is essential to the formation of sound public policy and thus the security of Americans.

In turn, the American people are suffering concrete and profound harm because they, their representatives, and other government policymakers rely on the free expression of information, ideas, and opinions developed by responsible journalists, academics, commentators, experts, and others for the formulation of sound public policy, including national security policy.

Having said that, the United States respects the sovereign right of other countries to enact their own laws regarding speech, and seeks only to protect the First Amendment rights of Americans in connection with speech that occurs, in whole or part, in the United States.

That is why last year I introduced the Free Speech Protection Act (H.R. 1304) to defend U.S. persons who are sued for defamation in foreign courts. This legislation would allow U.S. persons to bring a federal cause of action against any person bringing a foreign libel suit

if the writing did not constitute defamation under U.S. law. It would also bar enforcement of foreign libel judgments and provide other appropriate injunctive relief by U.S. Courts if a cause of action was established. H.R. 1304 would award damages to the U.S. person who brought the action in the amount of the foreign judgment, the costs related to the foreign lawsuit, and the harm caused due to the decreased opportunities to publish, conduct research, or generate funding. Furthermore, it would award treble damages if the person bringing the foreign lawsuit intentionally engaged in a scheme to suppress First Amendment rights. It would allow for expedited discovery if the court determines that the speech at issue in the foreign defamation action is protected by the First Amendment.

Nothing in H.R. 1304 would limit the rights of foreign litigants who bring good faith defamation actions to prevail against journalists and others who have failed to adhere to standards of professionalism by publishing false information maliciously or recklessly. The Free Speech Protection Act does, however, attempt to discourage those foreign libel suits that aim to intimidate, threaten, and restrict the freedom of speech of Americans. I am proud to have worked closely with Senators ARLEN SPECTER, JOE LIEBERMAN, and CHUCK SCHUMER who introduced companion legislation in the Senate.

The King/Specter/Lieberman/Schumer legislation also has the backing of various organizations including the Association of American Publishers, College Art Association, Anti-Defamation League, American Jewish Congress, American Library Association, 9/11 Families for a Secure America, American Booksellers Foundation for Free Expression, and the American Civil Liberties Union. In addition, various columnists and editorial boards have written in support of our approach including Floyd Abrams, Andrew McCarthy, the New York Times, New York Post, and the Washington Times.

The impetus for a federal law is the case of Dr. Rachel Ehrenfeld, a U.S. citizen and Director of the American Center for Democracy. Dr. Ehrenfeld's 2003 book, ''Funding Evil: How Terrorism is Financed and How to Stop it,'' which was published solely in the United States by a U.S. publisher, alleged that a Saudi Arabian subject and his family financially supported alQaeda in the years preceding the attacks of September 11, 2001. He sued Dr. Ehrenfeld for libel in England because under English law, it is not necessary for a libel plaintiff to prove falsity or actual malice as is required in the U.S. After the English court entered a judgment against Dr. Ehrenfeld, she sought to shield herself with a declaration from both federal and state courts that her book did not create liability under American law, but jurisdictional barriers prevented both the federal and New York State courts from acting. Reacting to this problem, the Governor of New York, on May 1, 2008, signed into law the ''Libel Terrorism Protection Act'', commonly known as ''Rachel's Law.''

As I said last year, I believe any libel tourism bill should include punitive measures to discourage these ridiculous lawsuits from being filed in the first place. It was my hope that during this new Congress we could work together to introduce a bill that would solve this problem once and for all, legislation which would not only ban the enforcement of these foreign libel judgments but would also create a federal cause of action allowing American authors and journalists to sue those foreign plaintiffs here in the United States. This should be the essential component of any libel tourism bill. The real issue here is not the judgment or even the libel case itself. Rather, it is the attempt by certain individuals to muzzle those who dare speak out about terrorism and the financiers of it. Lawyers are cleverly exploiting foreign libel laws not only to injure American authors and publishing companies, but more importantly to shut them up. And it is working. But we must stop it!

In September, I supported and the House passed H.R. 6146, legislation sponsored by Representative COHEN, to prohibit U.S. Courts from enforcing these outrageous defamation suits. At the time, I stated that I believed that bill did not go far enough to combat the threat of libel tourism and that pertains to H.R. 2765 as well.

Nevertheless, I will support H.R. 2765 because it prohibits U.S. (domestic) courts from enforcing these outrageous defamation suits. We must stand up to the terrorists and their financers, supporters, and sympathizers. However, this bill does not go far enough nor does it resolve the problem of ''libel tourism.'' Foreign litigants will still be allowed to file these libel suits overseas with no worry of being countersued here in the U.S. If this bill were to be signed into law, the litigants would never see a dime of the judgments they are awarded, but it's not money they are after in the first place. They want the publicity, an apology, and they want these books to disappear. Most of all they want to intimidate authors and publishers. And it's working!

Finally, I will support H.R. 2765 because it is a first step in the right direction. H.R. 2765 is an important and necessary part of any ''libel tourism'' bill. Unfortunately, it doesn't put an end to the problem and doesn't provide any deterrence from these suits being filed in the first place. I regret that we could not have come up with a more comprehensive bill on the House side but I pledge to work with our Senate sponsors to improve this legislation over in the other Chamber.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to voice my support for House Resolution 2765, prohibiting recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services, introduced by Representative COHEN, which articulates the sense of Congress regarding the United States commitment to freedom of speech. I would also like to thank Congressman COHEN for this important legislation, his leadership in bringing this legislation forth and for working together to see that the First Amendment to the Constitution is not just something we talk about, but something that is achieved. The heart of this bill lies in interactive computer services.

Interactive computer services provide an opportunity for free enterprise to take place. ''I am convinced,'' asserts RICHARD LUGAR ''that the majority of American people do understand that we have a moral responsibility to foster the concepts of opportunity, free enterprise, the rule of law, and democracy. They understand that these values are the hope of the world''.

TEXAS

In my state of Texas there are a variety of small interactive foreign computer service enterprises that are struggling to be valued resources in their community, a community full of individuals that struggle with all the woes of technology and deserve not only local businesses for their convenience but also their relationship.

Many of these businesses promise hope for many citizens unfamiliar with computers and technology by advocating that they do not treat their customers like another invoice number or item on a list of things to do.

CONCLUSION

I urge my colleagues to remember that certain companies that fall within the category of ''interactive computer service'' providers are extremely beneficial to the communities they serve. I do not advocate that all judgments against these providers are inappropriate, but we must remember the benefits of such a business and its legitimate concurrence with the First Amendment.

If we do not support the improvement of the technological community as it is then we should not support this bill. However, if we are for access to quality computer services, if we are for greater understanding of the communities we serve, if we are for fair enforcement of judgments against and for hardworking American citizens, then we must give our full support to this bill.

I urge my colleagues to join me in support of Resolution 2765, which will work to effectively help Americans prepare for the future with the appropriate resources. This is just one more step to a more responsible society.

Mr. Speaker, I vote in support of House Resolution 2765.

Mr. COHEN. I yield the remainder my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 2765, as amended.

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

A motion to reconsider was laid on the table.

CONGRESSIONAL REVIEW ACT IMPROVEMENT ACT

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2247) to amend title 5, United States Code, to make technical amendments to certain provisions of title 5, United States Code, enacted by the Congressional Review Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2247

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Congressional Review Act Improvement Act''.

SEC. 2. TECHNICAL AMENDMENTS TO THE CONGRESSIONAL REVIEW ACT.

(a) GOVERNMENT PAPERWORK REDUCTION.—Section 801 of title 5, United States Code, is amended as follows:

(1) REPEAL OF REQUIREMENT FOR SUBMITTAL OF TEXT OF RULES AND CERTAIN OTHER MATERIALS TO BOTH HOUSES OF CONGRESS.—Subsection (a)(1) is amended—

(A) by striking ''each House of the Congress and to'' in subparagraph (A);

(B) by striking ''each House of'', and inserting ''on request'' after ''Congress'', in subparagraph (B); and

(C) by striking subparagraph (C).

(2) LISTING IN CONGRESSIONAL RECORD OF EACH RULE RECEIVED BY THE COMPTROLLER GENERAL.—Subsection (e) is amended to read as follows:

''(e)(1) The Comptroller General shall submit to each House of Congress a weekly report containing a list of each rule received by the Comptroller General pursuant to subsection (a) since the last such report was submitted. The report shall include a notation for each such rule indicating whether or not the rule is a major rule.

''(2) The Speaker of the House of Representatives shall cause to be published in the Congressional Record, in that portion of the Record relating to the proceedings of the House of Representatives, each report received from the Comptroller General under paragraph (1) since the last such publication in the House portion of the Record and, for each rule listed in such report, a statement of referral by the Speaker to the committee or committees of the House with responsibility for review of that rule.

''(3) There shall be published in the Congressional Record, in that portion of the Record relating to the proceedings of the Senate, each report received from the Comptroller General under paragraph (1) since the last such publication in the Senate portion of the Record and, for each rule listed in such report, a statement of the referral, if any, to the committee or committees of the Senate with responsibility for review of that rule.''.

(b) CONFORMING AMENDMENTS.—Chapter 8 of such title is further amended—

(1) in section 801(a)(3)(A)(i), by striking ''Congress'' and inserting ''Comptroller General'';

(2) in section 801(a)(4), by striking ''Congress'' and inserting ''the Comptroller General'';

(3) in section 801(d)(2)(B), by striking ''Congress'' and inserting ''the Comptroller General'';

(4) in section 802(a), by striking ''Congress'' the first place it appears and inserting ''the Comptroller General''; and

(5) in section 802(b)(2)(A), by striking ''Congress'' and inserting ''Comptroller General''.

(c) EFFECTIVE DATE.—The amendments made by this Act shall take effect 60 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend and revise their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

H.R. 2247, the Congressional Review Act Improvement Act, would cut governmental waste by reducing duplicative paperwork and relieving some of the administrative burdens currently mandated by the Congressional Review Act.

The Congressional Review Act is the congressional mechanism for reviewing agency rules. It currently requires that when an agency promulgates a rule, it must submit documents to both Houses of Congress and to the Comptroller General of the Government Accountability Office.

The agency must submit a report that contains a copy of the rule, a concise general statement describing it, and its proposed effective date. Thus, under current law, the same material is submitted to, housed in, and printed by four different government entities.

This approach creates unnecessary burdens. For example, the House Parliamentarian has testified before the House Judiciary Subcommittee on Commercial and Administrative Law in three separate Congresses about the ever-increasing volume of executive branch communications under the Congressional Review Act and its overwhelming impact on the operations of the Parliamentarian's office.

This bill eliminates the requirement that agencies submit copies of rules with accompanying reports to each House of Congress. Instead, the House and Senate will receive a weekly list of all rules from the Comptroller General. The House and Senate would then have the list printed in the CONGRESSIONAL RECORD with a statement of referral for each rule.

Under the bill, the House and Senate retain the option to directly obtain reports on major rules. Importantly, the bill makes no changes to the authority of Congress under the Congressional Review Act to disapprove agency rules. What it basically does is it cuts out some unnecessary paperwork and saves forests.

I thank Judiciary Committee Chairman John Conyers, Ranking Member Lamar Smith, and Trent Franks, ranking member of the Subcommittee on Commercial and Administrative Law, for being original cosponsors of this bill with me.

This is a commonsense bill that rightfully has strong bipartisan support. I urge my colleagues to support it.

I reserve the balance of my time.

Mr. GOHMERT. Mr. Speaker, I join my colleague in support of H.R. 2247, the Congressional Review Act Improvement Act.

The Congressional Review Act provides Congress with a vital but underused tool to oversee how agencies exercise the legislative authority Congress delegates to them. This bipartisan reform, the Congressional Review Act Improvement Act, is an important first step towards improving the act's efficiency and effectiveness. It is a measure first proposed in the 106th Congress by the late Henry Hyde. It had bipartisan support then, just as it does today.

This legislation will streamline the House Parliamentarian's role under the Congressional Review Act, shifting some of the Parliamentarian's paperwork responsibilities to the Comptroller General.

The day-to-day volume of paperwork that the small staff of the Parliamentarian's office confronts under the act is large. By reducing this burden on the Parliamentarian, this bill will improve the efficiency of House operations while at the same time not hampering oversight of agency rules.

We obtained this measure's passage in the last Congress, but the Senate, unfortunately, did not act upon it. I urge the House to pass it again this term, and I am hopeful the Senate will pass it as well. The goal is to provide assistance to the overworked Parliamentarian's office.

I have remained grateful to the Parliamentarian's office ever since the first time in my first term here I went up to be Speaker pro tem and was advised by the Parliamentarian to be careful when I leaned back because the chair didn't have much back support, therefore averting me from on-camera falling back and flailing my arms, as I would have without the Parliamentarian's assistance.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 2247, the "Congressional Review Act Improvement Act." I would like to thank my colleague, Congressman STEVE COHEN, for introducing this bill, and for providing leadership on this important issue.

I support this bill. It eliminates waste by requiring that federal agencies must submit specified information about a rule to both Houses of Congress before such rule can take effect; (thus requiring that the information be submitted to only the Comptroller General). Moreover, it requires the Comptroller General to submit to each House a weekly report containing a list of the rules received, including a notation identifying each major rule.

These reductions and minimization of waste standards provided by this bill should result in a substantial cost savings to the federal government. In times like we are in now, it is important that the government cut costs. I support this bill.

H.R. 2247 amends the current law. The primary purpose of the legislation is to have the Comptroller general replace congress. H.R. 2247 eliminates the requirement that agencies submit paper copies of their rules that are printed in the Federal Register to each House while continuing a referral of all rules printed in the Federal Register and the periodic indication of those referrals in the CONGRESSIONAL RECORD. Instead, the Comptroller General will send out the weekly list of rules to both the House and the Senate from the GAO, and then the Comptroller General would put that list in the CONGRESSIONAL RECORD.

This bill eliminates the excessive duplication and printing of rules. This bill adds a commonsense approach to rulemaking, the printing, publication and dissemination of those rules. It is simple and the reforms that it brings should yield a substantial cost savings to the U.S. Treasury.

I am proud to support this bill because it eliminates duplicative and needless paperwork and should provide a cost savings. I urge my colleagues to support this bill.

Mr. Speaker, I have no further speakers. I yield back the balance of my time and urge my colleagues to support this bill.

Mr. COHEN. Mr. Speaker, I too would yield the balance of my time and ask for a favorable vote on the proposition before us, as amended.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 2247, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

COURT SECURITY ENHANCEMENT ACT OF 2009

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2661) to amend title 18, United States Code, to increase the penalty for violations of section 119 (relating to protection of individuals performing certain official duties), as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2661

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Court Security Enhancement Act of 2009''.

SEC. 2. INCREASE OF PENALTY.

Section 119(a) of title 18, United States Code, is amended by striking ''5 years'' and inserting ''10 years''.

SEC. 3. RESOLVING A WORKLOAD REQUIREMENT FOR SENIOR JUDGE PARTICIPATION IN COURT GOVERNANCE.

Section 631(a) of title 28, United States Code, is amended by striking ''(including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as may consume.

Mr. Speaker, H.R. 2661, the Court Security Enhancement Act, addresses improper public disclosure of private information regarding all Federal employees, Federal officers, and persons involved in the judicial system. Specifically, this bill addresses the public disclosure of private information with the intent to threaten, intimidate or incite violence against a Federal employee or officer, a person involved in the judicial system, or his or her family.

The safety of all who participate in our judicial process is essential to the integrity of our judicial system. Threats and attacks against citizens and court officials are also attacks on the fair and effective administration of justice.

It is already a felony to knowingly disclose with harmful intent restricted personal information, including a Federal employee's home address, home phone number or Social Security number. However, the maximum penalty is currently 5 years. This bill will increase that penalty to 10 years.

The United States Sentencing Commission has brought to our attention the disparity between the 5-year penalty for this crime and the 10-year penalty for another serious form of harassment and attack on Federal employees, that of filing false liens against the Federal employee.

The Sentencing Commission has asked whether or not we intended that disparity. We did not. To reduce the disparity and to bring the penalty for disclosing private information with a criminal intent in line with the seriousness of the offense, the Court Security Enhancement Act increases the penalty from 5 to 10 years.

This bill also corrects a conflict we inadvertently created last session in sections 503 and 504 of the Court Security Improvement Act of 2007. This bill eliminates that conflict and clarifies that senior judges must perform at least the equivalent of a 6-month workload of an active judge to participate in court governance matters, including the selection of magistrate judges.

I urge my colleagues to support this important legislation and thank the gentleman from Texas for introducing the bill.

I reserve the balance of my time.

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

On January 7th of last year, President Bush did sign into law a critical piece of legislation, the Court Security Improvement Act. I was pleased to join Chairman CONYERS and Chairman SCOTT as an original cosponsor of the bill.

This bipartisan, bicameral effort improves security for Federal judges, their staffs, victims, witnesses, and all those who participate in our Federal justice system. I had the honor and privilege to sit down with a number of judges and witnesses and victims and staff members to discuss this problem back before the legislation was originated and we were trying to address some of the problems that had been created.

In recent years, we have seen an increase in violence and threats against judges, prosecutors, defense counsel, law enforcement officers, and courthouse employees. According to the Administrative Office of the U.S. Courts, almost 700 threats a year are made against Federal judges. In numerous cases, it has been necessary to assign Federal judges security details for fear of attack by criminal defendants and disgruntled litigants.

We now have in place procedures to improve coordination between U.S. marshals and the Federal judiciary and strengthen security measures for Federal prosecutors handling dangerous trials against terrorists and drug organizations, as well as organized crime figures.

The law now also prohibits public disclosure on the Internet or other public sources of personal information about judges, law enforcement officers, victims and witnesses, and also protects Federal judges and prosecutors from organized efforts to harass and intimidate them through false filings of liens or other encumbrances against their personal property.

I introduced H.R. 2661, the Court Security Enhancement Act, to make two important corrections to the court security statutes. At the recommendation of the U.S. Sentencing Commission, the bill does increase, as my colleague from Virginia mentioned, the penalty for violations of section 119 of title 18 from a maximum of 5 to a maximum of 10 years.

This action prohibits the public disclosure of certain personal information of Federal judges, prosecutors, defense counsel, jurors, witnesses, or the family members of these individuals. This commonsense, straightforward change will conform the penalties for section 119 offenses to the penalties of the other comparable court security provisions.

At the recommendation of the U.S. Judicial Conference, the bill also eliminates an inconsistency unintentionally created by the Court Security Improvement Act pertaining to requirements for senior district court judge participation in court governance. This simple amendment will ensure consistent application of the statutes governing senior district court judges.

I do want to thank Chairman CONYERS, Chairman SCOTT and Ranking Member SMITH for their support and prompt consideration of the bill. It is imperative we continue to work together in a bipartisan effort to ensure that judges, witnesses, courthouse personnel, and law enforcement officers do not face threats and violence while carrying out their duties, and, if there is, that there are serious consequences.

With that, I urge my colleagues to support the bill.

Mr. JOHNSON of Georgia. Mr. Speaker. I rise today in strong support of H.R. 2661, the ''Court Security Enhancement Act of 2009.'' I would like to thank my colleague Representative LOUIE GOHMERT for introducing this important piece of legislation, as well as the cosponsors.

I stand in support of this legislation because it adds a simple amendment to title 18 of the United States Code, which will make a huge impact on the protection and safety of individuals performing certain official duties in the courts. This amendment will prohibit the public disclosure of certain personal information of federal judges, prosecutors, defense counsel, witnesses, or family members of these individuals. The bill will also clarify and eliminate an inconsistency that was unintentionally created by the Court Security Improvement Act, which pertained to the requirements for a Senior District Court Judge's participation in court governance. But most importantly this amendment will increase the penalty for those who violate Section 119(a) of title 18, from a maximum of five years to a maximum of ten years.

As a lawyer and a former county Magistrate Judge, as well as a Georgia State Court Judge, I hold this bill very dear to my heart. There is no time more important than the present, especially considering the recent hate crimes, like the shooting at the Holocaust Museum, that have occurred throughout the country. The United States Judiciary System stands to seek justice for all, so those who are opposed to equality for all Americans usually take their anger and hate out on innocent people. Therefore, it is only fair that there be maximum protection yielded to those who devote their careers to preserving and enforcing the founding principles of our forefathers.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 2661, the ''Court Security Enhancement Act of 2009.'' This legislation will go a long way toward enhancing the security and integrity of our judicial system and the able men and women who comprise the federal judiciary.

Mr. Speaker, let me quote the Chief Justice of the Texas Supreme Court: ''Our democracy and the rule of law depend upon safe and secure courthouses.'' That is because an independent judiciary is essential for a regime based on the rule of law. Nothing can do more to undermine the independence of the judiciary than the very real threat of physical harm to members of the judiciary or their families to intimidate or retaliate. In 1979, U.S. District Court Judge John Wood, Jr., was fatally shot outside of his home by assassin Charles Harrelson. The murder contract had been placed by Texas drug lord Jamiel Chagra, who was awaiting trial before the judge.

In 1988, U.S. District Court Judge Richard Daronco was murdered at his house by Charles Koster, the father of the unsuccessful plaintiff in a discrimination case. The following year, U.S. Circuit Court Judge Richard Vance was killed by a letter bomb sent to his home. The letter bomb was attributed to racist animus against Judge Vance for writing an opinion reversing a lower-court ruling to lift an 18-year desegregation order from the Duval County, Florida, schools.

In this age of the global war on terror, the danger faced by federal judges, judicial officers, and court personnel is real, as illustrated by the three murders noted above. The recent and tragic murder of U.S. District Court Judge Joan Humphrey Lefkow's husband and mother reminds us that the danger has not abated.

Mr. Speaker, H.R. 2661 increases the penalty of violating Section 119(a) of title 18, United States Code to 10 years instead of 5 years. The original bill states that it is a crime to publish on the Internet restricted personal information concerning judges, law enforcement, public safety officers, jurors, witnesses or other officers in any United States Court. The penalty for a violation was a maximum term of imprisonment of 5 years. However, H.R. 2661 will make this maximum term of imprisonment 10 years.

Additionally, the original bill increases the maximum penalty for killing or attempting to kill a witness, victim or informant to obstruct justice or in retaliation for their testifying or providing information to law enforcement by increasing maximum penalties.

The original Act provides a three-pronged legislative response to the security challenges facing our judicial institutions and personnel. First, it directs the United States Marshals Service to consult with the Judicial Conference regarding the security requirements for the judicial branch, in order to improve the implementation of security measures needed to protect judges, court employees, law enforcement officers, jurors and other members of the public who are regularly in federal courthouses.

The original bill also extends authority to redact information relating to family members from a federal judge's disclosure statements required by the Ethics in Government Act and removes the sunset provision from the redaction authority, thus making the redaction authority permanent.

Mr. Speaker, the original bill also enhanced the security and protection of judicial personnel and their families by making it a criminal offense to maliciously record a fictitious lien against a federal judge or federal law enforcement officer. This new crime and punishment is intended to deter individuals from attempting to intimidate and harass federal judges and employees by filing false liens against their real and personal property.

All in all, Mr. Speaker, this bill makes a substantial contribution to the enhancement of security of judicial institutions and personnel by increasing the penalty for violators of this Act. I urge all members to join me in supporting this beneficial legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman from Texas for introducing the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 2661, as amended.

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

The title was amended so as to read: ''A bill to amend title 18, United States Code, to increase the penalty for violations of section 119 (relating to protection of individuals performing certain official duties), and for other purposes.''.

A motion to reconsider was laid on the table.

EXPRESSING CONDOLENCES TO THE FAMILIES OF VICTIMS OF THE CONAGRA FOOD PLANT EXPLOSION

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 540) expressing condolences to the families, friends, and loved ones of the victims of the catastrophic explosion at the ConAgra Foods plant in Garner, North Carolina, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 540

Whereas the people of North Carolina experienced a devastating tragedy when a massive explosion occurred at the ConAgra Foods plant in Garner, North Carolina, shortly before 11:30 a.m. on June 9, 2009;

Whereas the 500,000-square-foot plant, one of the largest owned by ConAgra Foods, employs 900 people, 300 of whom were on site when the blast occurred;

Whereas three workers lost their lives when the explosion ripped through the plant;

Whereas employee Louis Junior Watson reentered the building to help a coworker escape and both employees died when the structure caved in;

Whereas at least 40 employees were injured, some suffering from exposure to toxic ammonia fumes and at least four with critical burns;

Whereas three brave firefighters were treated for inhalation;

Whereas North Carolina's first responders, fire, police, and EMS, were quick to the scene and prevented any further loss of life or injury, and private citizens risked their well-being to come to the aid of their friends and neighbors;

Whereas the Garner Police and Fire Departments have cooperated with North Carolina Task Force 8 Urban Search and Rescue to search and secure the building and its periphery;

Whereas agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Wake County Fire Marshal, inspectors from the North Carolina Department of Labor, and agents with the United States Chemical Safety Board have combined efforts to investigate the cause of the explosion;

Whereas the United States Environmental Protection Agency has inspected the site of the explosion to ensure no contamination spreads from the plant;

Whereas the above mentioned agencies will continue to work together with private citizens to investigate the accident, provide assistance to families of the victims, and ensure public health and safety in this disaster's aftermath; and

Whereas ConAgra has established the ConAgra Foods Garner Plant Fund in memory of those lost in this tragedy, has set up assistance and relief services for the families of the victims, and is helping support surviving workers: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses condolences to the families, friends, and loved ones of the victims of the explosion at the ConAgra Foods plant in Garner, North Carolina;

(2) honors Barbara McLean Spears of Dunn, North Carolina, Louis Junior Watson of Clayton, North Carolina, and Rachel Mae Poston Pulley of Clayton, North Carolina, who lost their lives in the explosion, and the 40 others who were injured;

(3) expresses sympathies to the people of Garner, the entire State of North Carolina,

and the Nation who grieve for the victims; and

(4) commends the heroic actions of the Garner Police and Fire Departments, the quick response of the Bureau of Alcohol, Tobacco, Firearms and Explosives, and all other first responders, emergency services personnel, and private citizens who responded to the crisis.

□ 1715

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes. The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, with this resolution, the House of Representatives acknowledges the tragedy that occurred at ConAgra on June 9, 2009, and extends our sympathies to the people of Garner, North Carolina, and to all of those who were touched by this tragedy. I thank the gentleman from North Carolina (Mr. ETHERIDGE) for introducing this important resolution about such a sad tragedy.

Shortly before 11:30 a.m. on June 9, last Tuesday, a massive explosion ripped through the ConAgra plant in North Carolina while about 300 employees were working. The explosion killed three employees and injured at least 38 others. Three of the responding firefighters were also treated for chemical inhalation.

We wish we could turn back the hands of time and prevent this terrible tragedy. Unfortunately, we can't. And, instead, we need to do all we can to understand the cause of the explosion so we can minimize the risk of explosions like it.

This past weekend, the ATF response team announced that the explosion was caused by a natural gas leak in a room that housed vacuum pumps used for sealing snacks.

According to news reports, the ATF has not found any evidence of criminal activity. The Occupational Safety and Health Administration and the U.S. Chemical Safety Board, along with others, will continue with the investigation.

We express our deepest condolences to the families, friends and loved ones of the victims of this tragedy. We honor three employees who lost their lives in the explosion, Barbara McLean Spears of Dunn, North Carolina, Louis Junior Watson of Clayton, North Carolina, Rachel Mae Poston Pulley, of Clayton, North Carolina; and we also honor those who suffered injuries.

And, finally, we commend the heroic actions of the first responders, the Garner Police and Fire Departments, the emergency medical personnel, the North Carolina Task Force 8 Urban Search and Rescue, the ATF, and all other emergency services personnel and private citizens who came to the rescue. Their efforts, along with those of the ConAgra employees themselves, no doubt prevented further loss of life and injuries.

I urge my colleagues to support this important resolution and reserve the balance of my time.

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

I rise in support of the resolution, which expresses the heartfelt condolences of this body to the families, friends and loved ones of the victims of the June 9 explosion at ConAgra Foods plant in Garner, North Carolina.

As the resolution notes, the people of North Carolina experienced a devastating tragedy with a massive explosion occurring at the plant shortly before 11:30 a.m. The 500,000 square foot plant employed about 900 people, 300 of whom were on-site when the blast occurred. As a result of the blast, three workers lost their lives when the explosion ripped through the plant.

One brave employee, Louis Junior Watson, selflessly re-entered the building to try to help a coworker escape. Tragically, neither employee was able to escape the plant before the structure collapsed.

Along with Mr. Watson, the resolution honors the memories of Barbara McLean Spears, Rachel Mae Poston Pulley, who were the other two people who perished in the plant. We know that at least 40 employees were injured in the accident. Some suffered from exposure to toxic ammonia fumes, and at least four received critical burns.

After the blast occurred, North Carolina's first responders, including firefighters, police officers, and emergency medical technicians, quickly arrived on the scene. Their timely efforts probably prevented many other losses of life or injury. This resolution, as my colleague from Virginia noted, commends them for their sacrifice and courage as well.

In addition to the first responders, we also recognize the private citizens of the proud community of Garner who risked their well-being to come to the aid of the families and friends and neighbors of those in the tragedy.

I join Mr. ETHERIDGE, Chairman SCOTT, and my colleagues in the House to express our sincere sympathies to the people of Garner, the entire State of North Carolina, and the Nation who grieve for the victims.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the sponsor of the resolution, the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I want to thank my good friend, Chairman CONYERS, and Majority Leader HOYER for expediting this resolution to the floor today.

Mr. Speaker, last Tuesday, June 9, the town of Garner, in my district, changed forever. A natural gas leak, as you've heard, ignited a massive explosion at the ConAgra Food plant, causing the collapse of a significant portion of the structure. Three employees died in the explosion; and close to 40 others were injured, four, with critical burns.

This resolution remembers the lives of Barbara McLean Spears of Dunn, North Carolina, Louis Junior Watson and Rachel Mae Poston Pulley, both of Clayton. They were all hardworking Americans who did just what we do every day: they got up, they went to work on that fateful day, Tuesday, to make their lives better and to do their part to contribute to America's work force and success of this Nation.

One of those workers, Louis Junior Watson, was particularly heroic. Though he had a means of escape, Watson chose to remain in the building to aid his coworker, Barbara McLean Spears, who had fallen. This extraordinary man is truly a hero and exemplifies the spirit of community and kinship that has strengthened his community.

Mr. Watson and his wife, Terri, would have celebrated their wedding anniversary yesterday. They had a 14-year-old son, and 16-year-old and 18-year-old daughters. Louis Junior Watson was laid to rest at 11 a.m. today.

More than 1,000 people attended the Sunday funeral services held for Rachel Mae Poston Pulley. Ms. Pulley was a mother of seven and a grandmother of six.

Barbara McLean Spears, who was married one year ago to her partner of 15 years, Anthony Spears, also leaves behind her 61-year-old mother, Bertha McLean, two brothers and two nieces. She was also laid to rest yesterday.

Mr. Speaker, I ask my colleagues to join me in honoring their lives and their loved ones who are left behind.

This resolution also recognizes Mayor Williams and his staff, our first responders, fire, police, EMS, who were quick to the scene and prevented even further loss of life or injury. Those emergency personnel worked tirelessly on behalf of our communities; and we thank all of them, including private citizens who stepped up in this great time of need. Four of those brave firefighters, as you've already heard, were injured in the line of duty on Tuesday, and we commend their heroic efforts.

The citizens in and around my district have come together in the wake of this devastation, and it has been remarkable. I'm heartened and encouraged by the show of support from my fellow North Carolinians.

Our small communities are enhanced by businesses like ConAgra, which employed 900 people at this plant. I'm pleased to learn that they've set up a recovery fund for the victims, and they've been distributing groceries to their employees in need.

I know that ConAgra is working to rebuild the plant, and I look forward to the day when the employees can return to their work. There's a great demand for the products that ConAgra is producing in Garner, and I am pleased that these snacks and other food products are made in the Second District of North Carolina.

Mr. Speaker, let us remember those who we have lost and be thankful for those who were saved. Our thoughts and prayers are with the victims and their families and the entire ConAgra community because they are suffering.

On Friday night I participated in a vigil in Garner to remember and honor the victims. I was honored to attend and pleased with the tremendous outpouring of support.

At 11:30 tomorrow, exactly 1 week after the accident, Mayor Williams, the city of Garner, and all the community will join together with other individuals in other communities who were touched by the accident in a moment of silence to commemorate this disaster. I hope that we will have Congress' voice represented there with the passage of this resolution, and I urge my colleagues to support this important and necessary and timely resolution.

Mr. GOHMERT. Mr. Speaker, I will continue to reserve.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to another colleague from North Carolina, Mr. PRICE.

Mr. PRICE of North Carolina. Mr. Speaker, I am pleased to join colleagues here today in offering condolences to the families and friends and coworkers of Barbara McLean Spears, Louis Junior Watson and Rachel Mae Poston Pulley, the three workers who tragically lost their lives in an explosion at the ConAgra plant in Garner, North Carolina on June 9.

This area, Garner, North Carolina, is an area that I formerly represented as their Congressman. It's now represented by our colleague, BOB ETHERIDGE; and I want to thank BOB for sponsoring this resolution here today and enabling us to come together in this time of tribute.

Our sympathy goes out to the families of the victims, but also to the 40 other ConAgra employees who were injured in this plant's explosion and collapse. Some of them have severe burns. They have other serious injuries. We wish them a successful recovery, and we thank the medical providers, including the Burn Center at UNC Chapel Hill, who are doing so much to treat these victims.

Often it does take a tragedy like the ConAgra explosion to publicly highlight the courageous work of our first responders. We commend those who responded to this explosion. There are many stories of bravery that prevented further injury or loss of life. The firefighters, the police, the emergency medical services of Garner and Wake County and many surrounding communities that heeded the call to rescue the ConAgra plant employees in a quick and safe manner. So we're very indebted to them and grateful to them. These first responders put us first, put our communities first every day.

There are also many private citizens who risked their lives helping plant employees evacuate, who gave selfless assistance to their suffering neighbors. That's a testament to the character and the strength of Garner's community.

The ConAgra plant, as my colleague, Mr. ETHERIDGE, has said, is a cornerstone of the Garner and Wake County community. It was built as a sausage plant nearly 50 years ago. As we move forward, remembering the victims of this tragedy, and the way that this plant provided the livelihood for so many people, we do hope the plant is rebuilt, and that employees can return to work. And we're heartened that such plans seem to be under way.

We do need to remain vigilant, of course, in our efforts to improve workplace safety. The Bureau of Alcohol, Tobacco and Firearms has concluded their investigation, finding, fortunately, no evidence of criminal intent. The Chemical Safety Board investigation is ongoing. We need to get to the bottom of this. We need to understand what happened; and we need, of course, to adopt practices and policies that lead to safer facilities in the future and avoid this kind of tragedy.

So, Mr. Speaker, in closing, we honor the memories of those that we have lost, give thanks for those who have been spared, and join in sympathy for the victims and their families.

Mr. GOHMERT. Mr. Speaker, I would just urge my colleagues to support the resolution, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume and thank my colleagues from North Carolina for bringing this tragedy to our attention and giving us the opportunity to convey our condolences.

I urge my colleagues to support the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, 540.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 6:30 p.m. today.

Accordingly (at 5 o'clock and 30 minutes p.m.), the House stood in recess until 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. LEE of California) at 6 o'clock and 31 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–155) on the resolution (H. Res. 544) providing for consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2346, SUPPLEMENTAL APPROPRIATIONS ACT, 2009

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–156) on the resolution (H. Res. 545) providing for consideration of the conference report to accompany the bill (H.R. 2346) making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 430; H.R. 2325; H.R. 729; and House Resolution 540, in each case by the yeas and nays.

Remaining postponed suspension votes will be taken later in the week.

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

EXPRESSING CONDOLENCES TO ITALIAN EARTHQUAKE VICTIMS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to

the resolution, H. Res. 430, as amended, 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 American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 430, as amended.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 53, as follows:

[Roll No. 336]

YEAS—381

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
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
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
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
Pelosi
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—53

Alexander
Bachmann
Barrett (SC)
Berry
Blackburn
Blunt
Bonner
Boucher
Brady (TX)
Broun (GA)
Brown, Corrine
Carter
Coble
Coffman (CO)
Cooper
Costello
Deal (GA)
Donnelly (IN)
Duncan
Engel
Frank (MA)
Gingrey (GA)
Graves
Grijalva
Hensarling
Hoekstra
Johnson (IL)
Johnson, E. B.
Kennedy
Kilroy
Lewis (GA)
Loebsack
Maloney
Manzullo
Marchant
Marshall
McMahon
Michaud
Moran (VA)
Pingree (ME)
Putnam
Rogers (MI)
Rohrabacher
Rush
Sestak
Shadegg
Shuler
Simpson
Sires
Sullivan
Towns
Waters
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1856

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COFFMAN of Colorado. Madam Speaker, on rollcall No. 336, I was unavoidably detained. Had I been present, I would have voted "yea."

ANNUAL MEMBERS AND FORMER MEMBERS CHARITY GOLF TOURNAMENT

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

Mr. WAMP. Madam Speaker, this afternoon at the Army Navy Golf Club in Washington, D.C., we had the Annual Members and Former Members Charity Golf Tournament, where we raised a significant amount of money for the Wounded Warriors Project of the Disabled Sports Foundation.

We had nine of the wounded warriors, these patriotic Americans who are maimed or injured, playing with us today in the Annual Members and Former Members Golf Tournament. We raised a significant amount of money for the Wounded Warriors Disabled Foundation today.

We want to thank the majority leader, STENY HOYER, and the Republican leader, JOHN BOEHNER, who played on the same team today. There was civility. There was comity and respect because we stood together to honor these great Americans, these wounded warriors, and raise money for them today.

Our whip, JIM CLYBURN, was on my team. We had a great day. CHET EDWARDS was the captain of the Democratic team.

We do want to recognize a couple of scores from the golf tournament today. I know the trophy is over on the Republican side, and with the baseball game on Wednesday night, we thought we had better enjoy a trophy being over here while we can because the Democrats are favored in baseball this year. That is on Wednesday night. But, today, Republicans did win the trophy.

The top 10 Republicans played the top 10 Democrats. I have to say that the low gross award went to STEVE BUYER of Indiana. The low net award went to CHRIS CARNEY. Second for low net, I have to say, was DON YOUNG. He got inched out by a stroke.

Everybody was a winner. We had tremendous support from the PGA and all of our sponsors. Most importantly, we raised money for the Wounded Warrior Fund. These guys are unbelievable, these guys that come back without limbs, some of them with severe head trauma, and today they played golf with us. They are learning to live with their injuries, and we supported them today.

I want to yield to the distinguished captain of the Democratic team, Mr. EDWARDS of Texas.

Mr. EDWARDS of Texas. Madam Speaker, it is with a heavy heart that I look at that trophy on the Republican side of the aisle. I want to congratulate Mr. WAMP, the captain of the Republican team, and the entire Republican team. But it is with inspiration that I say the real winners today were the servicemen and -women who have served our country and sacrificed greatly on behalf of our Nation. It was a tremendous privilege for each and every one of us to get to meet these great, great Americans.

I look forward to that trophy being back on this side of the aisle next year, Mr. WAMP. Congratulations to you.

Mr. WAMP. Thank you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

LAREDO VETERANS POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2325, 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2325.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 374, nays 0, not voting 59, as follows:

[Roll No. 337]

YEAS—374

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

NOT VOTING—59

Alexander
Bachmann
Barrett (SC)
Blackburn
Blunt
Bonner
Boucher
Boustany
Brady (TX)
Broun (GA)
Brown, Corrine
Capuano
Coble
Cooper
Costello
Deal (GA)
Donnelly (IN)
Duncan
Engel
Frank (MA)
Gingrey (GA)
Graves
Grijalva
Hensarling
Hoekstra
Johnson (IL)
Johnson, E. B.
Kennedy
Kilroy
Larson (CT)
Lewis (CA)
Lewis (GA)
Loebsack
Maloney
Manzullo
Marchant
Marshall
McCarthy (NY)
Michaud
Moran (VA)
Olver
Pascrell
Pingree (ME)
Putnam
Rogers (MI)
Rohrabacher
Rush
Sestak
Shadegg
Shuler
Simpson
Sires
Smith (TX)
Space
Sullivan
Tiberi
Towns
Waters
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have less than 2 minutes to record their vote.

□ 1906

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.

PHYLICIA'S LAW

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 729, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and pass the bill, H.R. 729, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 319, nays 60, not voting 54, as follows:

[Roll No. 338]

YEAS—319

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Bright
Brown (SC)
Buchanan
Butterfield
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frelinghuysen
Fudge
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Jones
Kagen
Kanjorski
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Mack
Maffei
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum

McCotter
McDermott
McGovern
McHugh
McIntyre
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perriello
Peters
Peterson
Petri
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shea-Porter
Sherman
Shuster
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—60

Akin
Bartlett
Barton (TX)
Biggert
Bishop (UT)
Boehner
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Campbell
Cantor
Carter
Cassidy
Chaffetz
Conaway
Davis (KY)
Dreier
Flake
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gohmert
Granger
Harper
Hastings (WA)
Inglis
Issa
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Lummis
Lungren, Daniel E.
McClintock
McHenry
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Paul
Pence
Poe (TX)
Price (GA)
Radanovich
Royce
Ryan (WI)
Sessions
Shimkus
Souder
Thornberry
Tiahrt
Walden
Westmoreland
Young (AK)

NOT VOTING—54

Alexander
Bachmann
Barrett (SC)
Berman
Blackburn
Blunt
Bonner
Boucher
Brady (TX)
Braley (IA)
Broun (GA)
Brown, Corrine
Coble
Cooper
Costello
Deal (GA)
Donnelly (IN)
Duncan
Engel
Frank (MA)
Gingrey (GA)
Graves
Grijalva
Hensarling
Hoekstra
Johnson (IL)
Johnson, E. B.
Kaptur
Kennedy
Kilroy
Lewis (CA)
Lewis (GA)
Loebsack
Maloney
Manzullo
Marchant
Marshall
Michaud
Moran (VA)
Perlmutter
Pingree (ME)
Putnam
Rogers (MI)
Rohrabacher
Rush
Sestak
Shadegg
Shuler
Simpson
Sires
Sullivan
Towns
Waters
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have less than 2 minutes to record their votes.

□ 1914

Messrs. LAMBORN and ROYCE changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRALEY of Iowa. Madam speaker, on rollcall No. 338, had I been present, I would have voted "yea."

Mr. PERLMUTTER. Madam Speaker, on rollcall No. 338, I accidentally missed the vote on "Phylicia's Law", H.R. 729. I would have voted "yes" on H.R. 729.

EXPRESSING CONDOLENCES TO THE FAMILIES OF VICTIMS OF THE CONAGRA FOOD PLANT EXPLOSION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 540, 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 Virginia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 540.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 52, as follows:

[Roll No. 339]

YEAS—381

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
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
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Markey (CO)
Markey (MA)
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
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—52

Alexander
Bachmann
Barrett (SC)
Blackburn
Blunt
Bonner
Boucher
Brady (TX)
Broun (GA)
Brown, Corrine
Coble
Cooper
Costello
Deal (GA)
Donnelly (IN)
Duncan
Engel
Frank (MA)
Gingrey (GA)
Graves
Grijalva
Hensarling
Hoekstra
Johnson (IL)

Johnson, E. B.
Kennedy
Kilroy
Lewis (GA)
Loebsack
Maloney
Manzullo
Marchant
Marshall
Michaud
Moran (VA)
Ortiz
Pascrell
Pingree (ME)
Putnam
Reyes
Rogers (MI)
Rohrabacher
Rush
Sestak
Shadegg
Shuler
Simpson
Sires
Sullivan
Towns
Waters
Young (FL)

□ 1920

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.

PERSONAL EXPLANATION

Mr. DONNELLY of Indiana. Madam Speaker, on June 15, 2009, I was unable to cast votes because of flight delays which prevented me from arriving in Washington on time. Had I been present, I would have voted accordingly: H. Res. 430—''yea''; H.R. 2325—''yea''; H.R. 729—''yea''; and H. Res. 540—''yea.''

SHAME ON IRAN'S ELECTION PROCESS

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

Ms. JACKSON-LEE of Texas. Madam Speaker, what did happen in Iran just a few days ago? I think this picture evidences that there were voters who felt that what happened did not capture the essence of those who sacrificed and went to vote. Young people, women and urbanites went in massive numbers to vote. In fact, this article suggests that there were polling places even in the United States where Iranian Americans went to vote to, in essence, declare they wanted freedom. They wanted to be able to have the opportunity to live in a democracy, to build their economy.

I would ask the so-called ''elected person'' to do the right thing or there is shame on this process. I ask for the NGOs of the world and the NDI to stand up and question the irregularities of this election. Stand for people who want peace and a democratic election. Let us raise our voices. The United Nations should raise its voice. No, we're not trying to select the next President of Iran. We're only asking for the people to elect the next President of Iran. Shame on Iran's election process.

HEALTH CARE

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I come to the floor today to discuss the issue of health care.

For 28 years, I was committed to delivering quality health care services as a health care professional. I came to Congress with the commitment of strengthening the quality, accessibility, and affordability of our health care system, which is already one of the best in the world.

Madam Speaker, the Democratic Party is intent on rushing a health care plan through Congress that expands government control and that will ultimately decrease access and quality.

While we consume the attention of Congress on this big government proposal, we have ignored critical workforce health care issues. As the baby boomer generation retires, it will be increasingly difficult to find qualified health care providers to deliver services needed.

The debate on health care reform must focus on priority issues that truly impact services. A larger government health care bureaucracy is a cause, not a cure, to the problems of access, quality and affordability. Real health care issues, like health care workforce, is where our efforts should be focused.

NETWORKS IGNORE CAP-AND-TRADE'S COST TO AMERICANS

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

Mr. SMITH of Texas. Madam Speaker, the nonpartisan Congressional Budget Office has determined that cap-and-trade legislation will cost American families at least $1,600 a year. Other studies have found that the cost of energy could be up to $3,600 per family. It would be more accurate to call cap-and-trade ''cap-and-tax,'' but you are unlikely to hear about cap-and-tax and its cost by watching the news.

According to the Media Research Center, the three network evening news programs mentioned ''cap-and-tax'' in only four stories from January to May. None of the four stories explained cap-and-tax and its high cost to consumers. The price of gas and electricity will go up, as will the price of food. The media need to report the facts about cap-and-tax and need to tell the American people what it will cost them.

TAX THEM TO DEATH

(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 dank dungeons of the Federal Government, the taxacrats are loose, and now they're working on a new tax to tax the middle class out of existence. Death by a thousand taxes. This time, they're talking about taxing health care benefits that folks get from their employers. In other words, if you take care of your family by having health benefits, you're going to be punished for doing so.

I thought the goal was to make sure that everyone had affordable health care. That's what the taxacrats do tell us, but if that's the goal, it doesn't make any sense at all to make health care more expensive by taxing it. Someone is going to have to explain to me how raising taxes on working people is going to make things better for all of us.

The taxacrats are trying to convince people that taxing health insurance won't affect very many people. Well, if that's true, experts say it's not going to be enough money to pay for the government-run health care socialized system we're going to. They also want to mandate coverage. That means that they'll tax anyone who doesn't buy insurance. Taxed if you do. Taxed if you don't. It's enough to make a person sick. That's not a very healthy health care plan.

And that's just the way it is.

HONORING TWO HIGH SCHOOL LACROSSE STATE CHAMPIONSHIP TEAMS

(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, I rise to pay tribute to two recent State championship teams from Minnesota's Third Congressional District.

My hometown Eden Prairie Eagles won the Minnesota High School Girls' Lacrosse Championship last week. Under coaches Judy Baxter and Beth Patterson, the Eagles claimed a come-from-behind victory over Blake to win their fifth State title in that sport.

The Minnetonka High School Boys' Lacrosse Team, led by coach Aaron Oliver, defeated Eastview to win their very first State championship—capping off a fantastic year in which they were ranked number 1 for the entire season.

The hard work and dedication of these scholar athletes helped them achieve something that they will remember. I commend each of them, along with their coaches, trainers, educators, and parents who helped make these championships possible.

BLOOD IN THE STREETS OF IRAN

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

Mr. GOHMERT. Madam Speaker, you know there is blood in the streets in Iran tonight. It's the morning over there, but blood is running in the streets. People have been outraged at what they say was the stealing of an election.

So does it help to have a President who has continued to make clear he would meet with the ruthless denier of the Holocaust—with this totalitarian, mean-spirited, unjust, unfairly elected leader? It doesn't. Messages go around the world when you say you'll meet with a tyrant without preconditions.

May God be with those who are trying to see that justice is done, and may

our leaders be led to keep their mouths shut when it hurts others.

□ 1930

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.

REVISIONS TO ALLOCATION FOR HOUSE 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 an adjustment to the budget aggregates and allocations 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 both in the conference report to accompany H.R. 2346, a bill making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes, and in the bill H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(A) ALLOCATION

[In millions of dollars]

	BA	OT
Current allocation:		
Fiscal Year 2009	1,391,471	1,220,843
Fiscal Year 2010	1,086,306	1,272,100
Changes for overseas deployment and other activities designations: H.R. 2346 (Supplemental Appropriations):		
Fiscal Year 2009	90,730	27,029
Fiscal Year 2010	11	34,239
H.R. 2487 (Appropriations for Commerce, Justice, Science, and Related Agencies):		
Fiscal Year 2009	0	0
Fiscal Year 2010	101	81
Revised allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,086,418	1,306,420

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal year 2009	Fiscal year 2010	Fiscal year 2010–2014
Current Aggregates: [1]			
Budget Authority	3,668,777	2,882,107	n.a.
Outlays	3,354,482	2,998,218	n.a.
Revenues	1,532,571	1,653,682	10,499,809
Change for H.R. 2346 overseas deployment and other activities designation: [2]			
Budget Authority	0	0	n.a.
Outlays	2,882	829	n.a.
Revenues	0	0	0
Revised Aggregates:			
Budget Authority	3,668,777	2,882,107	n.a.
Outlays	3,357,364	2,999,047	n.a.
Revenues	1,532,571	1,653,682	10,499,809

n.a. = Not applicable because annual appropriations Acts for fiscal years 2011 through 2014 will not be considered until future sessions of Congress.

[1] Current aggregates do not include the disaster allowance assumed in the budget resolution, which if needed will be excluded from current level with an emergency designation (section 423(b)).

[2] Budget authority in the amount of the adjustment is already included in the resolution aggregates. The adjustment represents the difference in spendout rates between what was assumed in the budget resolution and the actual supplemental. Adjustments for outlays from 2010 designated budget authority will be made when needed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING DR. BOB FREDERICK

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. Madam Speaker, I rise this evening to announce the sad passing of Dr. Bob Frederick, a distinguished Kansan and exceptional human being.

Dr. Frederick served as athletic director at the University of Kansas for 14 years, the second longest tenure in the school history, and a period during which the Jayhawk athletics achieved 32 conference championships and generated 41 Academic All-Americans, the latter of which I'm sure meant the most to Dr. Frederick, as that is the kind of person he was.

Dr. Frederick felt most concerned about the well-being of student athletes. First as a coach and later as an athletic director, he showed that concern as he personally took an interest in the students at Kansas University that were also engaged in the intense dedication that it takes to be a college athlete today.

While very competitive by nature, he was as gracious in defeat and as much a class act as any athletic director there ever was. For Dr. Frederick, the bottom line was not about winning but, rather, about improving and advancing the lives of young men and women.

Dr. Frederick loved Kansas. As part of the university for 35 years, beginning with his bachelor's and master's degrees and walking onto the basketball team to his years of serving as assistant basketball coach, athletic director, and finally as administrator and assistant professor, it is clear Dr. Frederick and Kansans were meant for each other.

Dr. Frederick is perhaps best known for his bold hire of then-unknown assistant basketball coach Roy Williams in 1989. Williams, who would achieve the winningest decade of any first-time head coach in NCAA history, said of Dr. Frederick, ''He is the finest gentleman I've ever known in my life.''

A basketball coach himself at Russell and Lawrence High Schools, as well as Coffeyville Community College in Kansas, Dr. Frederick was cherished on all sides of our great State. I wish to offer this tribute to an outstanding gentleman, Dr. Bob Frederick, and express my sincere condolences to his wife, Margey, and his four sons. My thoughts and prayers are with his family.

CONGRATULATIONS TO THE NEWEST STANLEY CUP CHAMPIONS: THE PITTSBURGH PENGUINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ALTMIRE) is recognized for 5 minutes.

Mr. ALTMIRE. Madam Speaker, to borrow a catchphrase from Hall of Fame hockey announcer Mike Lange, ''You can buy Sam a drink and get his dog one, too, because Lord Stanley's Cup is making a return visit to the City of Champions.'' Pittsburgh now becomes the first city to ever be home to both the defending Super Bowl and Stanley Cup champions at the same time.

This past Friday, the Pittsburgh Penguins won their third Stanley Cup, and they did it the hard way, by coming from behind on the road in game 7 of the finals against last year's champion Detroit Red Wings.

Regular season scoring champion Evgeni Malkin won MVP honors by leading all playoff scorers, and goalie Marc-Andre Fleury once again proved he belonged among the game's elites with his dominating performance in net.

Head Coach Dan Bylsma took over in midseason when the team was out of playoff contention and led them not only to the playoffs but to a championship. And in winning the title, Sidney Crosby became the youngest team captain to hoist the Stanley Cup in the 115-year history of the trophy.

As in all successful organizations, the leadership of the Penguins starts at the top. The incomparable Mario Lemieux will now have his name engraved on the Cup for the third time, this time as team owner. Just as he did when he came into the league as a player, Mario Lemieux took control of a franchise threatened by bankruptcy and relocation. But from that, he built a championship team that leads the league in television ratings, merchandise sales, and sellouts.

Yes, Madam Speaker, these Penguins can fly. Congratulations go out to the entire organization for completing the hat trick of champions, winning their third straight Stanley Cup. The 2009 Pittsburgh Penguins have earned their well-deserved place alongside the greatest sports legends in the City of Champions.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REDESIGNATING THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY & MARINE CORPS

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. Madam Speaker, I am pleased to announce that 290 of my colleagues in the House from both parties have joined me as colleagues of cosponsors of H.R. 24—legislation to redesignate the Department of the Navy as the Department of the Navy and Marine Corps. I'm grateful for the widespread support for this change among my House colleagues, and I also thank Chairman IKE SKELTON who will include the language of H.R. 24 in the National Defense Authorization Act markup tomorrow.

For the past 7 years, the language of this bill has been part of the House version of the National Defense Authorization Act. Each year, the full House of Representatives has supported this change. This year, I'm also grateful to have the support of Senator PAT ROBERTS, a former marine, who introduced the same bill in the Senate, S. 504. With his help, I'm hopeful that this will be the year that the Senate supports the House position and joins in bringing proper respect to the fighting team of the Navy and Marine Corps.

Over the course of the Marine Corps history, including their present-day service in Afghanistan and Iraq, those three words, ''and Marine Corps,'' have been earned through blood and sacrifice. The Navy and Marine Corps have operated as one entity for more than two centuries, and H.R. 24 would allow the name of this department to illustrate that fight.

This legislation is not about changing the responsibilities of the Secretary of the Navy Department, reallocating resources, or altering missions. This change is all about respect and gratitude to the Marine Corps. As symbolic as this change might be, the Marine Corps has earned the right to be recognized in the Department's name. Over the past several years, this change has received support from three former Navy Secretaries, the Marine Corps League, Veterans of Foreign Wars, the Fleet Reserve Association, and many other individuals and groups.

In 2004, at a hearing before the House Armed Services Committee, Navy Admiral Stansfield Turner described his support for this change, and he said, ''I think this change in title enhances the prestige and pride of the people in the Marine Corps, and it does not necessarily take anything away from the Navy in that process. I am particularly impressed today . . . [by] the degree of cooperation between the armed services of our country.''

And Admiral Turner further stated, ''Emphasizing that this is a Navy-Marine Corps team is a very important part of keeping that kind of sight on the objective of teamwork in combat.''

Madam Speaker, the marines who are fighting today deserve this recognition.

In closing, I would like to show the change.

Madam Speaker, on this first poster was actually a letter that was sent by the Secretary of the Navy to a Marine wife who was killed. I certainly have taken out the name of the Marine Corps's wife's name, and I want to read this part to you and to those on the floor: On behalf of the Department of the Navy, please accept my very sincere condolences in the loss of your husband, Captain so-and-so, Marine.

Madam Speaker, the important part of reading this is this. If this bill becomes law, this fighting team will recognize this Marine family in this way: The Secretary of the Navy and Marine Corps. Dear Marine Corps family, On behalf of the Department of the Navy and Marine Corps. Madam Speaker, that's all that it does, but it's very important that the Marine Corps receive this recognition.

And before closing, Madam Speaker, as I do frequently, I ask God to please bless our many men and women in uniform, I ask God to bless the families of our men and women in uniform, and I ask God in his loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq. And, Madam Speaker, I ask three times, God, please, God, please, God, please continue to bless America.

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.)

UNFAIR TREATMENT OF CAR DEALERSHIPS

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. Madam Speaker, this last weekend, I met with several auto dealers in my district, and it was very interesting to find out really what all of them are going through right now.

The Chrysler and General Motors companies are closing hundreds and hundreds of automobile dealerships across the country, and after talking to these dealers, I can't figure out why. It isn't costing the automobile companies anything. They sell the cars to the dealers and the dealers sell those to the consumer. And the dealers pay for those cars.

In addition, the dealers pay for the advertising, the dealers pay for the plant and equipment, their dealerships, the buildings. They pay the mechanics. They pay the sales people. So the car company, all they do is make the car and sell it to the dealer. And so why are they closing all of these dealerships? It seems to me, as you reduce your sales force across the country, you're going to reduce the amount of cars that are sold to the consumer. It just doesn't make any sense to me.

But let me tell you some of the things that these dealers are going through right now. One dealer told me that—it's a Chrysler dealer—he had a Dodge dealership. And Chrysler asked him a couple of years ago to buy another dealership that wasn't doing as well, and they asked him to not only buy the property but to upgrade the equipment and upgrade the property and upgrade the showroom.

So he put $3 million into buying a property and upgrading the showroom in the mechanics area, the garage area. And after he did it, just recently, right after he got it done, had invested $3 million, they closed him down. They closed him down. He lost $3 million after they asked him, the company asked him, to invest that money in purchasing and upgrading this other store.

Now, that's terrible. He put $3 million in it as the company requested, and then they cut the legs off from under him and he loses $3 million.

I talked to a Chevrolet dealer who was negotiating with a GMC dealer across the street. The GMC dealer and the Chevrolet dealer were right across the street from one other, and General Motors said, Why don't the two of you combine? And so the two companies were negotiating with one another on who would buy the other out, and it was a $3 million to $5 million purchase. Well, they couldn't reach agreement before the deal with General Motors took place, and they were going to close a whole bunch of dealerships. So what they did is they decided to close the dealership of the Chevrolet dealership down even though he was very profitable.

□ 1945

And what that means, simply, is the GMC dealer across the street is going to get this Chevrolet dealership that would have sold for $3 million to $5 million to him for nothing. And so this dealer is going out of business, and it's going to cost him $3 million to $5 million because they closed his dealership. He sold as many cars as they asked him to sell, he was up to snuff on his payments and everything else that was requested by the company, and they knocked the legs out from under him as well, and it cost him $3 million to $5 million.

There was a GM dealer that came to me at this meeting the other day, and he had eight dealerships, and they closed one of them down. It's going to cost him several million dollars. But he can't complain publicly because GM is going to be closing other dealerships down in the future, and he's afraid if he says anything they will close some of his other dealerships down and cost him more money.

You know, I just don't understand this. We have the government, the car czars, if you will, now taking control of the entire auto industry. They're forcing the executives of the companies out of office and replacing them with handpicked people by our government through the car czar and the Auto Task Force. So the government is taking over the auto industry and closing these dealerships, putting hundreds of thousands of people out of work, closing thousands of dealerships across the country, and actually hurting the American auto industry's ability to sell cars when they're in competition with car companies around the world. It just doesn't make any sense to me.

So, once again, here we have the government taking over an industry, socializing the auto industry, and really killing an awful lot of the people who work in it—not to mention the restaurants and the stores that surround these car dealerships who have been in business as well, and it's going to cost them jobs.

Government control of the private sector just destroys the private sector. And they want to now take over our health care industry. They're taking over the banks. They want to take over the energy industry with cap-and-trade, which is going to cost every family in this country $3,000 to $4,000 more per year for energy.

We don't need socialism in this country. We certainly don't need it. And here's an example, the car industry, of what happens when government takes over.

CAP-AND-TRADE ALTERNATIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. INGLIS) is recognized for 5 minutes.

Mr. INGLIS. Madam Speaker, today I had interesting discussions in Greenville and Spartanburg, South Carolina. They were entitled, ''What's wrong with cap-and-trade and what's right with using free enterprise to solve the challenge that we have?''

So what's wrong with cap-and-trade? We came to pretty solid agreement on that, Madam Speaker. It's a massive tax increase in the midst of a recession; it's a Wall Street trading scheme that really would make any trader on Wall Street that led us into this recent debacle blush; and it's really a proposal that's going to end up decimating American manufacturing because the tax on energy would be applied just domestically, it wouldn't be applied to imported goods. And the result is that we would export productive capacity from the United States to other countries that don't have a price on carbon. So it's a real problem, and it is something that we have got to stop in order to get to the better.

The better that we discussed is a proposal—actually, a bipartisan proposal at this point—that JEFF FLAKE and DAN LIPINSKI and I are supporting, which is a plan to basically do a revenue-neutral tax swap. It involves changing what we tax and causing free enterprise to fix the problem that some are trying to fix with cap-and-trade; but as I just pointed out, there are real problems with cap-and-trade.

So the way this revenue-neutral tax swap would work is we would reduce taxes on something we want more of, which is payroll, by reducing the payroll tax. That's 6.2 percent from the employer and 6.2 percent from the employee on the first $106,800 worth of income. We would reduce that, and in an equal amount swap the tax, if you will, in an equal amount put a tax on carbon dioxide emissions. The result would be no additional take to the government, so it's revenue neutral. It would just free of from taxation something you want more of, which is income and labor and industry, and impose a tax on something you want less of, which is carbon dioxide.

The point that I was making in Greenville and Spartanburg today is, even if you think climate change is a bunch of hooey and there is no need to reduce carbon dioxide, I think conservatives can jump at the opportunity to reduce taxes on income. Because if you reduce set payroll tax, you free up employers to employ more people and you free up the employee to have more of their own money. This is something conservatives should be very excited about. Even if we were switching to, say, a tax on sweet gumballs or sycamore balls, or acorns, it would be better than taxing payroll.

The problem with taxing payroll is you're punishing work. So what we do is free up from taxation payroll, impose a tax on carbon dioxide, and watch the free enterprise system, with that price signal, change where we are such that we would fix the national security problem we have—which is great exposure to OPEC and its control of our oil markets—and we would also create jobs by creating new industries in new kinds of technologies, and we would clean up the air.

The point that I was making in these meetings in Greenville and Spartanburg is, even if you think climate change is hooey, still the small particulates in coal would cause you to want to take action. The cleaner alternative of nuclear power will come to the market when the market says, oh, coal is now paying the full freight of its cost. If it is, nuclear becomes possible and we start building nuclear power plants.

Madam Speaker, the key to this is getting the economics right. If we do that, we can fix this problem. But it starts with stopping this cap-and-trade because cap-and-trade isn't the way to fix this problem. The free enterprise system is the way to fix it. And to win the triple play of this American century we can improve the national security of the United States, we can create jobs, and we can clean up the air. Madam Speaker, I say we come together and get that done after we stop cap-and-trade.

CONGRATULATING HUGH GRANT FOR WINNING 2009 KEYSTONE CENTER LEADERSHIP AWARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. AKIN) is recognized for 5 minutes.

Mr. AKIN. Madam Speaker, I rise today to congratulate the winner of the 2009 Keystone Center Leadership Award for Leadership in Industry, Mr. Hugh Grant, chairman, president, and CEO of Monsanto Corporation.

Keystone Awardees have contributed to society in ways that reflect the spirit and mission of the Keystone Center and have demonstrated a history of achievement with a strong sense of vision, a proven ability to motivate others, dedication to team work and consensus, and the drive and ability to initiate fundamental and long-term positive change.

I commend Mr. Grant's exemplary leadership and the 20,000-strong Monsanto team for their extraordinary efforts and positive influence on American agriculture, technological innovation, and generous contributions to

international health, development, and their continued commitment to combating hunger.

Monsanto, under Grant's leadership, proves that free enterprise is the most effective way to solve seemingly intractable problems like hunger in sub-Saharan Africa. Not only has Monsanto provided a sustainable food source for hundreds of millions of people, but they have given hope to people who have been denied a future for far too long.

I ask my colleagues to join me in congratulating Hugh Grant and saying thank you to the entire Monsanto team. You put the power of innovation and enterprise to work for the world's poorest peoples and demonstrate true American compassion.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. CHRISTENSEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Congressional Black Caucus' Special Order this evening.

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

There was no objection.

Mrs. CHRISTENSEN. Madam Speaker, I am honored to rise today, along with my other colleagues, in honor of Caribbean American Heritage Month. This month marks the fourth anniversary of officially recognizing Caribbean American Heritage Month. And I want to applaud you, Madam Speaker, the Chair of the Congressional Black Caucus, for introducing the legislation and getting it passed in February of 2006. President Bush officially proclaimed it for the very first time in June of that year.

The efforts to get us to that point began long before, though, with the Institute for Caribbean Studies, which started observing June as Caribbean American Heritage Month in 1999. So I want to also take this opportunity to applaud the work and leadership of its president, Dr. Claire Nelson, of Jamaican heritage.

I also want to recognize the Carib News Foundation for its work over the years to bring Caribbean and United States leaders together to discuss issues of common interest over the past 14 years. They filled an important gap.

Recent attempts to officially bridge this gap began in 1997, when President Clinton traveled to Barbados where the Bridgetown Declaration was crafted. This important declaration affirmed our common resolve to fight crime, violence, corruption, drug and illegal drug trafficking while, as President Clinton said, ''promoting open and fair trade, protecting the environment, strengthening education, spreading telecommunications, and helping Caribbean countries diversify their economies and become more competitive as well.''

Upon his return, he submitted the Caribbean Basin Trade Enhancement Act, which Congress passed. The cooperation was further affirmed with the historic meetings held in June of 2007 between the heads of Caribbean governments and the Bush-Cheney administration and this Congress. This commitment was renewed and reinvigorated at the Summit of the Americas held in the Caribbean nations of Trinidad and Tobago in April of this year with the active participation and leadership of our President, Barack Obama, who set a new tone for our relationship with the region.

But the relationship has even predated the birth of this Nation. In 1751, our very first President, George Washington, reported to have had family connections in Barbados, traveled there with his brother for a health-related matter in November of 1751. They stayed 2 months, and he is said to have been enchanted by the island and the Caribbean.

Over the years, many Congressional Black Caucus members have worked tirelessly to raise awareness and keep us focused and invested in ongoing affairs in the Caribbean. We have done this through Chairman RANGEL's efforts with the Caribbean Basin legislation and other initiatives, Congresswoman WATERS, who worked so hard to save the banana industry and who was then Chair of the Congressional Black Caucus. She and I traveled to Barbados in 1997 for that historic meeting.

I also want to recognize the special work done by Congressman DONALD PAYNE, who is the founding Chair of the Friends of the Caribbean Caucus, and Congressman KENDRICK MEEK, Congressman GREGORY MEEKS, and of course Congresswoman YVETTE CLARKE. But, truly, all of the Congressional Black Caucus members are champions of the causes of the Caribbean.

Last year, one of our great achievements, led by Congressman DONALD PAYNE and you, Madam Speaker, Congresswoman LEE, in one of those great efforts, PEPFAR was extended to all of the Caribbean for the very first time. Two months ago, health ministers and CARICOM leaders met to draft the 5-year plan which would build on the PANCAP, the Pan Caribbean Partnership, to address HIV and AIDS in this region. The Shirley Chisholm United States Caribbean Educational Exchange Act of 2009, introduced, again, by Congressional Black Caucus chairwoman and Madam Speaker LEE, is now working its way through Congress. It will help to build a stronger Caribbean workforce and promote greater collaboration between the United States and the Caribbean, as well as a sharing of values and culture.

Madam Speaker, I do have a few colleagues here with me this evening, and I would like to yield some time to them so that they may bring some remarks about the special month that we're celebrating in which we are recognizing the contributions of people from the Caribbean to the United States.

So at this time, I will yield such time as she might consume to Congresswoman YVETTE CLARKE.

Ms. CLARKE. I would like to thank the gentlelady for yielding. And I would like to associate myself with your comments, your remarks, your historical context for this Congressional Black Caucus' hour commemorating Caribbean American History Month. I want to thank you, my colleague, DONNA CHRISTENSEN, for all of your work and advocacy being part of the U.S. Caribbean, the U.S. Virgin Islands.

Madam Speaker, I rise today to honor Caribbean American Heritage Month. I thank my friend, the gentlelady from California, Ms. BARBARA LEE, for her very hard work and her enduring commitment to the people of the CARICOM region and for ensuring that every June we bring recognition to the many contributions made by Caribbean Americans and people of Caribbean descent, and the issues facing the nations of CARICOM and the Caribbean American Diaspora.

□ 2000

I have the honor of representing New York's 11th Congressional District, previously represented, in part, by Shirley Chisholm, the first African American Member of Congress and the child of Caribbean American immigrants from Barbados and Guiana.

Other prominent Caribbean Americans that we may be aware of or have known throughout our history includes such luminaries as Jean Baptiste Point Du Sable, the founder of Chicago; Founding Father Alexander Hamilton, who was born in Nevis; actor and social activist Harry Belafonte; revolutionary Marcus Garvey; noted journalist Gwen Ifill; Hazel Scott, the first woman of color to have her own television show; Malcolm X, revolutionary; our own Attorney General Eric Holder; former Secretary of State Colin Powell; super model Tyson Beckford; athlete and coach Patrick Ewing; boxer and athlete Lenox Lewis; and Wyclef Jean, performer and philanthropist. And the list goes on and on.

As a child of Jamaican immigrants, I have been an outspoken advocate for Caribbean Americans and Caribbean issues and concerns my entire public life and proudly carry forth my district's rich Caribbean heritage. The success of the Caribbean immigrant and their Caribbean American descendants has been evidenced in just about every field of endeavor.

While Caribbean Americans have made great strides and very historic contributions to the prosperity and strengthening of our Nation, there are still lingering issues that adversely affect Caribbean Americans in the United States. Caribbean immigrants often have very little money or access to resources when making their transition to the United States, making them vulnerable targets of immigration fraud. I have introduced H.R. 1992, the Immigration Fraud Prevention Act of 2009, making it a Federal crime to willfully misrepresent the immigration process through fraud and false representation.

I have also introduced H.R. 2071, which directs the Secretary of Commerce to include Caribbean descendants as an option on census questionnaires. I believe that this will bring recognition to the broad diversity of Caribbean natives and descendants that call our country home and ensure an accurate count and proper representation and resource.

I was also pleased this year to be present at the Summit of the Americas along with our own President Barack Obama earlier this year. That summit was the beginning of what I know will be an enduring commitment to a mutually beneficial relationship with our ''third border.'' Our Nation's third border, shared with the CARICOM community, links not only families, not only travel and industry, but I believe the security of our own United States and our island-nation neighbors. In 2007 a joint report by the United Nations Office of Drug and Crime and the World Bank linked some of the rising crime rates in Caribbean nations to an increase in drug transshipment. In the previous Congress, I introduced H. Res. 1504, which calls for increased cooperation between the United States and Caribbean officials to combat this problem. Last week I stood proudly on this floor to express my support for provisions which were in H.R. 2410, the Foreign Relations Authorization Act of 2009, which added the Caribbean community, or CARICOM, to the Merida Initiative. I also want to commend the Honorable BARBARA LEE for her work in establishing the Shirley A. Chisholm Educational Exchange Program authorized within the bill. These provisions promote security and education within the CARICOM region, fostering social and economic development abroad and keeping all of us safe here at home.

Madam Speaker, it is with great pride that I stand here, a descendant of Caribbean immigrants, able to stand in the House of Representatives' second generation representing a constituency that is the disapora of the Caribbean, and I'm proud that we here in the U.S. Capitol take this time to commemorate the very accomplishments, the binding of our nations and our people, in making sure that we strengthen and build prosperity here in the United States and share that good wealth and democracy with the region from whence so many have come.

Mrs. CHRISTENSEN. Thank you, Congresswoman CLARKE, for your remarks this evening. And thank you, most of all, though, for your leadership on behalf of the Caribbean countries. We appreciate the work that you do both on your committee, the subcommittee that you Chair on Homeland Security, and in all of the work that addresses issues in the Caribbean. Thank you for joining us this evening.

I would like now to yield to the gentlewoman from Texas, Congresswoman SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Let me thank the gentlewoman for yielding to me, and allow me to acknowledge as well the Congressional Black Caucus for the collective effort that they have made and thank our present chairwoman for the 2004 resolution, House Resolution 517, that ultimately was proclaimed by the President of the United States. This is an enriching day and an opportunity for us to emphasize the vastness of diversity that is in this country, and I stand here as a Caribbean American proudly exercising and relishing in the history of my ancestry.

Let me also acknowledge the work that we have collectively done. As the ranking member on the Immigration Subcommittee, we have had a history of working for the issues of parity as it relates to the opportunities for Haitians to become statused here in the United States, as we have seen the Cubans also have this opportunity through what we call the ''wet foot, dry foot'' provision. We have worked unending to ensure that that parity comes about. And as we look forward into the comprehensive immigration reform debate, I hope that language from the Save America comprehensive immigration legislation that I authored will be part of the debate so that our reform will include all aspects of those who are seeking to be statused and particularly those from the Caribbean.

We have worked on issues that addressed the questions of many Caribbean leaders when there was massive deportation of individuals from the United States who had never been to the Caribbean, had never been to the countries of their birth, and therefore were coming and providing the need for extra resources by Caribbean leaders. This is paying attention to the issues of the Caribbean and recognizing that they are a vital ally to us. And that was recognized by the recent organization of the meeting in the Caribbean in Trinidad where many Caribbean nations came, and I believe the new relationship was cemented between this new President, this Congress, and the Caribbean leaders.

So as we speak about the greatness of Caribbean Americans, I want to emphasize that we should also be engaged with the Caribbean as our allies, as those who can participate with us in homeland security and securing the borders, as we look to Caribbean Americans who have made great strides here in this country.

Caribbean Americans are educators, linguists, actors, athletes, soldiers, politicians, economists, historians, activists, doctors, lawyers, and everyday men and women. There are those of us who enjoy the music of the Caribbean, and certainly one of our most famous poets and musicians is Bob Marley, whose reggae music continues to permeate the music channels and the ears of Americans. We are proud of the contributions of Caribbean Americans. Those like Kareem Abdul-Jabbar; those like Timothy ''Tim'' Theodore Duncan; those like Garcelle Beauvais-Nilon; those like Sidney Poitier; those like Stokely Carmichael and Marcus Garvey; and, of course, Colin Powell, the former Secretary of State, a Caribbean American; certainly the Honorable Shirley Chisholm, who herself ran as an African American woman for President of the United States of America. Bold, unashamed of their roots and history, ready to make a difference, that is the character of Caribbean Americans and those who live in the Caribbean.

Let me also thank JOHN CONYERS, whom I worked with as we visited Haiti and went to see many of those who have been incarcerated because of the, if you will, inconsistency of leadership in Haiti. We are delighted to see President Preval leading out. We visited many who were political prisoners and worked with the then-Bush administration to try to secure their freedom. I want to continue to express my appreciation to Chairman CONYERS for the work that he has continuously done working with the Jubilee that we celebrated in Haiti when we traveled there together.

So there are many aspects of the Caribbean that we can celebrate. I'm here to celebrate the great connection that I have had the privilege of having. And I'm delighted to be joined on the floor of the House by Congresswoman DONNA CHRISTENSEN as well as Congresswoman YVETTE CLARKE and Congressman DONALD PAYNE and the chairwoman, who is now serving as the Speaker pro tempore. We do this because we want to ensure that people realize how great America is, and it is only great because it relies upon the strength of those who come from different cultures and bring that wonderment to our wonderful Nation.

So I want to acknowledge the creation of the Institute of Caribbean Studies in 1994. I want to acknowledge the ad hoc Caribbean Council of Washington, D.C., that disbanded, and ICS takes over leadership of celebrating June as Caribbean American Heritage Month in Washington, D.C. This is just part of the history that was generated in the bill to make this the month that we celebrate Caribbean Heritage Month.

Finally, might I say proudly that I want to speak of my grandparents, Mr. and Mrs. Jackson. My grandmother and grandfather were true sons and daughters at that time of the King and

Queen because Jamaica was then a colony of Great Britain. However, their dignity allowed them to know that Jamaica could be a free and democratic nation. And through the leadership of those in Jamaica who recognized that it could be a free nation, they secured their freedom, and what a celebratory time that was.

I want to acknowledge so many prime ministers, but former Prime Minister Manley, former Prime Minister Seaga, former Prime Minister P.J. Patterson, all great leaders that brought greatness to the Caribbean, and to acknowledge the present prime minister as he continues to work, to acknowledge the first woman Prime Minister as well that was in Jamaica for at least a time in the last 2 years. We know that she has been called with great love and affection Prime Minister Portia, but we respect the service that she has given.

My grandparents left Jamaica and went to work in Panama in the Panama Canal, and I had the privilege of going to the Panama Canal for a Homeland Security mission and seeing my grandfather's name listed as one of those who worked on the Panama Canal. As he came to the United States and then settled between South Carolina and Brooklyn, New York, to know that he was part of that wonderful tradition of history and heritage, the wonderful cuisine of oxtails and rice and peas and plantains and many other good things that we continue to enjoy culturally in my family that I raised my children on, that I was raised on, so that this nexus of knowing your roots is so very key.

So what I say to all who are listening, this Nation is valuable because it respects the culture of all of us. And today we salute Caribbean Americans, and I have been privileged and proud to have served in the United States Congress with that history but also to work on a number of issues helping to make their land, their nation, better and creating a better partnership between the United States and Caribbean.

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Mrs. CHRISTENSEN. Thank you, Congresswoman JACKSON-LEE, and thank you for your hard work, your service, and your support for all issues relating to the Caribbean. I know you are very proud of your Jamaican heritage because you speak of it very often. Thank you.

At this time I would like to yield such time as he might consume to the founding Chair of the Friends of the Caribbean Caucus, the gentleman from New Jersey, Congressman DONALD PAYNE.

Mr. PAYNE. Thank you. Let me commend the Congressional Black Caucus and its chairperson, leader this evening, BARBARA LEE from California, for the outstanding job that she is doing as Chair of the Congressional Black Caucus. As the caucus moves forward, being the conscience of the Congress, let me also commend Representative FUDGE, who is from the great State of Ohio, who continues to lead the Special Orders on our evenings, and of course our Caribbean queen, Delegate DONNA CHRISTIAN-CHRISTENSEN, who, as you know, is our representative from the U.S. Virgin Islands. Not only is she an expert on the Caribbean but, as we all know, she is an internist, a physician and has been very, very helpful as we move forward in very difficult health care reform. Her input is invaluable. I also want to commend her for the recent involvement in a documentary about the relationship between St. Croix and Puerto Rico that went through the history of the sugarcane industry back at the turn of the century in the late 1800s, early 1900s and the number of Puerto Ricans who came to St. Croix to work there. This was shown last weekend, will be shown in New York, and has received many praises for the interesting history that it brings about.

Let me just say that it's a pleasure to be here—as chairman of the Subcommittee on Africa and Global Health but also as Chair of the Caribbean Caucus, the bipartisan caucus that we have here—to kind of expand our relationship with the Caribbean. This Caribbean American Heritage Month is well deserved. It's recognizing the diversity and success of people from the Caribbean. You've heard other speakers talk about the many people from the Caribbean who have been so outstanding. The achievements and impacts made from Caribbean people have continually made a positive contribution to the well-being of American society. We could go back to our beginning with Alexander Hamilton, who came from St. Kitts, our first Secretary of the Treasury. Secretary Colin Powell is from the Caribbean as well as Cicely Tyson, W.E.B. DuBois, James Weldon Johnson, Malcolm X, Harry Belafonte, Sidney Poitier, and, in my own district, two people that I might talk about here, Antoinette K. Ellis-Williams and Dr. Claire Nelson. Dr. Claire Nelson, the founder and president of the Institute of Caribbean Studies, is known for her leadership in making Caribbean Americans heard. I am proud to say I work with her on a regular basis, as many of us do; and we admire her and the great work that she does. We just had the opportunity to be with her last week, and we are extremely pleased at the outstanding work that the institute is doing. The second person that I mentioned, Dr. Antoinette K. Ellis-Williams, a leader in my congressional district, currently serves as president for the Essex Valley Health Care and serves on the board of East Orange General Hospital. She is a proactive member of the Caribbean Medical Mission, a nonprofit organization of doctors, nurses, health care workers, engineers and other professionals who give back to the community through their services. She is a founder and director of the Statewide Female Leadership Development Institute and Research Center at the New Jersey City Institute.

The Caribbean community's presence also plays a wide role in our elections, especially in my district, where the greater settlement of many people from the Caribbean in East Orange, Irvington and Newark make their voices heard. In past elections we have seen many people from the Caribbean community educate fellow Caribbean Americans about the U.S. political process and encourage their participation in the democratic process.

In recognizing June as Caribbean month, in my work with the caucus, this Congress has continually focused on enhancing relationships between the United States and the Caribbean states by reviewing proposals and pending legislation that have a direct impact on the Caribbean. I believe that by facilitating an ongoing dialogue, we can continue to recognize the Caribbean as America's third border for trade, for political stability, for the fight against drug trafficking and for economic development. We need to remember that the Caribbean is not just a place for vacationing, but it's a place in need of economic development. With the current open trade regime, the challenge for the Caribbean is to quickly develop high productivity sectors that could drive the region's development. We know that the same problems that have stricken us in the U.S. have stricken the Caribbean. HIV and AIDS has become a problem, but we're very pleased that the PEPFAR program now has been expanded to 14 Caribbean countries. In 2005 an estimated 300,000 adults and children in the Caribbean were reported living with HIV, making it the leading cause of death among adults aged 15 to 44. We know that in Haiti, life expectancy has also been impacted tremendously by HIV and AIDS.

However, like I said, we have a tremendous relationship with our friends in the Caribbean. There are several problems that we need to help them with.

Deportation. As you know, in 1996 the U.S. law changed that anyone convicted of an offense had to face deportation from the United States; and as a result, many of these small nation countries have had to absorb persons who may have come to the United States as infants but have engaged in crime and now are sent back 20, 30, 40 years later as hardened criminals; and many of the countries in the Caribbean are having a difficult time dealing with these deportees. Another problem that we see is with the drug trafficking in Mexico. We're finding that they are pushing drug trafficking into the Caribbean, and we need to assist the Caribbean in fighting this and give them assistance with law enforcement, training and Coast Guard assistance. But we are very proud of many of the Haitians, as I mentioned. Track and field is something that they have excelled in. I

recall when I was running back in the early fifties, George Rhoden was a quarter miler who won the gold medal in the Helsinki Olympics. George Rhoden and many other Jamaicans came up and went to Morgan State University. At the Penn Relays, these Jamaicans in the late forties and early fifties started to get recognition. And we know that in the Beijing Olympics, Usain Bolt, at 20, 21 years old, won the 100 meters and the 200 meters. He was one of the youngest persons to ever win those events, and the first person since Mr. Lewis from New Jersey to win both sprints in the Olympics. We have had many outstanding people that started politics in New York, Hulan Jack, way back, a fellow from St. Lucia. He was born in 1905, moved up to New York, a high school dropout, went to work for a company, and worked his way up from a janitor to become a vice president of the firm. He became active in politics, and he became a New York City Democratic political leader, loyal to the Tammany Hall operation, which was run then by a fellow named Carmine De Sapio. But in 1940 Hulan Jack won seven straight elections to the New York State Assembly, representing his Harlem district. And in 1953, Hulan Jack was elected to borough president of Manhattan, becoming the first African American to hold the post. Elected more than a decade before the rise of big city black mayors in the sixties, Hulan Jack was the highest ranking African American municipal officer in the Nation. With an annual salary at that time of $25,000, he was the highest paid black office holder in the country. He served as Manhattan Borough president for several terms; and because of his emerging strength, the powers that be interrupted his career, and he left office. But Hulan Jack showed that politics was something that many of our Caribbean folks brought to the leadership of politics in our country.

I'll just finally end with a person that we all admired so much and has been mentioned earlier, Mr. Michael Manley, son of Norman Manley who served as the Prime Minister from '59 to '62. Michael Manley came in and became a three-term Prime Minister from '72 to '80 and '89 to '92, and he stepped down because of bad health. But just look at what Michael Manley did in Jamaica: Minimum wage for all workers; free education at secondary and university level, to the extent that space was available; instituted a literacy campaign; subdivision of what he called idle land to poor blacks, a formation of agrarian cooperatives where they worked together; price control on numerous staples to benefit the poor; reduction of the voting age to 18, thus increasing the black vote that then was able to continue to move forward. Listen to this—institutionalizing paid maternity leave and free milk to mothers. This was way back then in Jamaica where, as you know, we are still fighting to get family leave instituted in some of our States in the United States of America 30 years later. A person like Mr. Michael Manley did such an outstanding job. So we're just pleased to celebrate this heritage month.

Once again, I certainly commend the gentlelady from the U.S. Virgin Islands for her leadership. I know that we will have a wonderful month as we celebrate the great attributes that people from the Caribbean have made not only to the United States, and Europe but of course the Caribbean.

Mrs. CHRISTENSEN. Thank you, Congressman PAYNE, and thank you for your leadership both as our leader on Africa and global health as well as for all of the work that you've done with us in the Caribbean Caucus. Thank you for joining us this evening.

There are so many men and women of Caribbean American heritage who have contributed greatly, and so many events that have created ties that forever bind us together. President Obama in his proclamation this year, recognizing Caribbean American Heritage Month wrote, ''Generations of immigrants have preserved the traditions of their homeland, and these traditions have defined our Nation's identity. This multi-lingual and multi-ethnic tradition has strengthened our social fabric and enriched the diversity of our Nation.'' He continues, ''We are neighbors, partners and friends. We share the same aspirations for our children, and we strive for the very same freedoms. Together we can meet the common challenges we face.''

I want to highlight several of those ties that bind. The birth of our Nation was supported by many Caribbean islands. Many do not know that the guns that were manned by the colonies during the American Revolution were gunpowdered by shipments from the Caribbean. While I believe most of it originated from St. Kitts, it was in the St. Croix Harbor in the then Danish West Indies where that gunpowder was loaded for shipment to the early colonies. In fact, it was also in that St. Croix Harbor, according to Robert Amandus Johnson in his book Saint Croix 1770 to 1776, that the first salute to the Stars and Stripes occurred in June of 1776.

□ 2030

And, of course, there is the direct relationship between Haiti and New Orleans, the latter of which in the beginning of the 19th century was considered a minor adjunct to the island which was then considered France's most valuable possession. It was only after Napoleon failed to reconquer the colony after the Africans had won their freedom and begun to establish their republic, only then did he decide to sell the Louisiana Territory. Many from the island of Saint Domingue who had fled that island became early inhabitants of New Orleans, contributing to the culture which is so recognized and renowned today.

There are also many U.S. Virgin Islanders today and in the past and from the then Danish West Indies who have and who continue to contribute much to our Nation. I have spoken of many of them on several occasions, people like Casper Holstein. Congressman PAYNE mentioned Raymond Jones. Jon Lucien in music, Emile Griffith in boxing, Valmy Thomas, Horace Clarke and Tim Duncan in sports. There are many, many others.

One, Denmark Vesey, was born in St. Thomas and settled in Charleston, South Carolina, one of my favorite cities. He settled there in 1783. Seventeen years later he bought his freedom, and inspired, I am sure, by the 1733 African rebellion of St. John and the 1791 successful African rebellion in the Isle of Saint Domingue, now Haiti, he also planned a well-known slave uprising that was to have taken place in 1822, but was thwarted.

I would be truly remiss if I didn't speak briefly about Alexander Hamilton, who has been named several times this evening, who was born in Nevis, which is now a part of the independent nation of St. Kitts and Nevis, and who spent his formative years in St. Croix before coming to New York and eventually becoming, as Ron Chernow puts it, ''Arguably the most important figure in American history who never attained the Presidency, but had a far more lasting impact than many who did.''

Alexander Hamilton was credited with having been Washington's aide-de-camp, a Revolutionary War hero, a member of the Constitutional Convention, the leading author of the Federalist Papers and head of the Federalist Party, as well as the first Secretary of the Treasury, who forged our tax and budget systems. I bet he would have let us budget for prevention, as we are trying to do in health care reform. He started the Customs Service, the Coast Guard, and the Central Bank.

We are proud that he was a Virgin Islander, a Crucian, and we are seeking to make his family home, the site where his mother was buried, a part of the National Park Service. It carries the same name as his home in New York City, Grange.

There have been many Caribbean men and women who have served in Congress and in our Nation's administration.

As a woman of Caribbean decent and a founding member of the Congressional Black Caucus, Shirley Chisholm led the way for Congresswoman YVETTE CLARKE and I. As a pioneering minority woman, her legacy holds the door open for many more African Americans and women.

Then there was Mervyn Dymally, Ron de Lugo, Melvin Evans, Victor Frazier, and all who have served as Resident Commissioners from Puerto Rico, as well as Members of Puerto Rican and Cuban heritage who are also Caribbean Americans and who serve today and have served in the past in this body.

Many more of our Nation's leaders trace their roots to the Caribbean, such

as our former Secretary of State Colin Powell, Attorney General Eric Holder, Assistant Secretary of the Interior-designee Wilma Lewis, and Supreme Court nominee Sonia Sotomayor. But there are many others.

We may look back as far as the period to 1900 to 1920, which marked the initiation of mass labor migration from the Caribbean to the United States and the formation of the first large Caribbean communities here in this country.

We should not forget World War I, when the recruitment of labor from the Caribbean became imperative. More than 100,000 Caribbean laborers were recruited for agricultural and tedious jobs as part of war labor. We should acknowledge the Caribbean men and women who served our country and those who continue to serve this country overseas in its conflicts today.

So I feel it has been an honor and privilege as a Caribbean American, whose roots lie in Cuba, Antigua, St. Kitts and the Danish Indies, now the Virgin Islands, to host this hour, where the Congressional Black Caucus has recognized and paid tribute to Caribbean American heritage.

Ms. LEE of California. Madam Speaker, I rise today recognizing June as National Caribbean American Heritage month and to acknowledge the important contributions Caribbean-Americans have made to our Nation's history.

Let me begin by thanking Congresswoman DONNA CHRISTENSEN of the Virgin Islands for anchoring tonight's CBC hour honoring Caribbean American Heritage Month.

I want to also thank Congresswoman YVETTE CLARKE, Congresswoman SHEILA JACKSON-LEE, and Congresswoman MAXINE WATERS for their tremendous leadership on Caribbean Issues.

I would like to acknowledge The Institute for Caribbean Studies and all the other Caribbean-American organizations that worked to make Caribbean-American Heritage Month a great success.

As a long time supporter of the Caribbean and a frequent visitor to the region, I was very proud to see us celebrate this important commemorative month for the third year. Since the resolution's initial passage by Congress in 2006, the President has issued a proclamation recognizing Caribbean-American Heritage Month in June 2006, 2007, and 2008.

People of Caribbean heritage reside in every part of our country. Since 1820, millions of people have emigrated from the Caribbean region to the United States.

Throughout U.S. history we have been fortunate to benefit from countless individuals of Caribbean descent, who have contributed to American government, politics, business, arts, education, and culture—including one of my personal heros, the Honorable Congresswoman Shirley Chisholm.

Shirley Chisholm was a woman of Ba-jan and Guyanese descent, who never forgot her roots in the Caribbean. She was the first African American woman elected to Congress and the first woman to run for President.

My political involvement began as a volunteer during her historic presidential campaign in 1972. Through her mentorship, she strengthened my interest in addressing issues of importance to the African Diaspora both here in the U.S. and abroad.

In addition to Shirley Chisholm, during Caribbean-American Heritage Month, we also recognize people like Alexander Hamilton, Hazel Scott, Sidney Poitier, Wyclef Jean, Eric Holder, Colin Powell, Harry Belafonte, Celia Cruz, Congresswoman DONNA CHRISTENSEN, Congresswoman SHEILA JACKSON-LEE, Congresswoman YVETTE CLARKE, and many others who helped shape this country.

Caribbean-American Heritage Month also provided an opportunity for us to strengthen our long-term partnership with CARICOM nations through greater dialogue and engagement. From disaster preparedness, education, and the campaign against HIV/AIDS and other health disparities, we share a number of mutual policy interests with our Caribbean neighbors.

For example, last year we were able to address these important issues regarding the Caribbean, through the Institute for Caribbean Studies' Caribbean-American Legislative Forum held on the Hill.

In addition, the Caribbean People International Collective Inc (CPIC) held a roundtable discussion on health in the immigrant community. This event promoted the goals and ideals of National Caribbean-American HIV/AIDS Awareness Day (NCAHAAD).

Most recently, last year's global rise in food costs keenly affected the people of the Caribbean, particularly our friends in Haiti. The crisis highlighted the need for reengagement and opened the door for innovative policy solutions.

Last year, CARICOM Heads of State held their New York Conference on the Caribbean under the theme "A 20/20 Vision", where they met with regional policy makers, the academic community, private sectors and financial institutions, as well as members of the Caribbean Diaspora to better integrate policy interests between the U.S. and the Caribbean.

National Caribbean American Heritage month promotes the importance of recognizing that our policies in the Caribbean affect us in the United States. Caribbean-American Heritage Month reminded us of the large and diverse constituencies of Caribbean-Americans in our nation and provided an opportunity to send a message of good will to the Caribbean community both here and abroad.

Caribbean American Heritage Month also provided an opportunity to celebrate and share in the rich culture of our Caribbean neighbors, through showcases of Caribbean art, festivals, concerts, and film.

Just as we commemorate the achievements of the many diverse communities in our nation, the United States Government should encourage all people to celebrate the rich history and diversity of Caribbean Americans.

I ask all of my colleagues to join me in honoring the Caribbean-American community, and acknowledge their service to our society.

A LOT OF CZARS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Thank you, Madam Speaker. I want to thank you for recognizing me today. I have some stuff I think is kind of interesting to talk about.

Let's start with recently, while listening to the radio, I heard an announcement that President Obama was appointing a gentleman to be named the compensation czar, and that kind of threw me. Being an old criminal law trial judge, I remember the drug czars of the past. I remember I think a couple of Homeland Security czars. But I never had heard of a compensation czar.

So I started to look into it, and I always thought it was kind of peculiar for a democratic country to even use the term "czar." But others adopted it ahead of time, so I have no criticism of using the term "czar," though I think if you look up "czar" in the dictionary, you will find out the most popular version is a form of the Russian totally autocratic emperors of the old Imperial Russia. To me, I think it sounds a little funny for us to be comparing ourselves with that failed system. But, you know, I can't criticize it too much, because we have had multiple folks that have had the name "czar."

Exactly what are these czars that we create in this country? Well, the best I have been able to determine, these are people who are hired members of the executive branch of the government, but they are not like Secretary of Health, Education and Welfare or Secretary of Labor. But they are given sort of absolute authority in their field to give direction to the government and to advise the President as his personal kind of alter-Cabinet, if you will.

Now, the first thing that comes to mind when you wonder about that is, you say now, wait a minute, all these secretaries that become members of the Cabinet, they have to be confirmed by the Senate. Constitutionally, it is required that they be confirmed by the Senate.

We have these confirmation battles in every administration, and actually some issues have come up this time which caused people to withdraw their names before the issue of whether or not they be confirmed, for reasons like they didn't pay their taxes or some other reason that they felt they didn't want to go through that kind of an onerous process of getting to be the Secretary of Homeland Security or the Secretary of State, Secretary of Commerce or whatever Secretary it may be, which for a long time has been the historical heads of departments of the executive branch of the Federal Government. But now we have these new guys that are going to be czars.

Now, it wasn't so hard to figure out when you said, well, you have got an Attorney General who is one of the Cabinet members, and he is confirmed by the Senate, just like the Constitution requires, and to have somebody who is totally focusing on the drug fight that we have. Maybe that might not be such a bad idea. So that is kind of the first concept of czar that I can

recall, and I think probably at some time Ronald Reagan may have used that term. So, you can understand that.

But when you hear ''czar,'' you think Russian. When you think of Russian czars, you think of the Romanov dynasty, which is the dynasty that was ultimately overthrown by the communist revolution. From its inception and for 300 years, the Romanov rule had 18 czars, and two or three of them didn't last very long, and in 146 days the Obama administration has 22 czars.

Now, these folks have lots of titles, these 22 czars, but if ''czar'' means what czar has sort of historically meant, it is designed to give them sort of an absolute in-charge position on a certain subject matter. And, remember, these folks are not ones who would have to be confirmed, the way I understand it, in order to hold a position. These are just hired folks that the President, through his presumed authority, gives them this power to do this. So, the Russians took 300 years and we took 146 days to create this ''czardom,'' if you will.

Now, let's see who these folks are. The best I can tell, this is a pretty accurate list of our czars that have been created by the Obama administration.

We start off with the border czar, Alan Bersin, and then the energy czar, Carol Browner. I believe she was part of the EPA last time, maybe under Carter or Clinton, I'm not sure. Probably Clinton. I don't know all about all these people.

The urban czar is Adolfo Carrion. The infotech czar is Vivek Kundra. The faith-based czar is Joshua DuBois, at least it has been reported he is an atheist, but that is his faith, I suppose. Health reform czar, Nancy-Ann DeParle, I guess it is. TARP czar, we have all heard about the TARP, Herb Allison is the TARP czar. The stimulus accountability czar is Earl Devaney. The nonproliferation czar, Gary Samore. I may be mispronouncing these folks' names. Let me say right off, if I mispronounce anybody's name, it is because I am from Texas, and I just apologize for that.

The terrorist czar is John Brennan. The regulatory czar, there is an interesting one, Cass Sunstein. The drug czar, we have seen that one before. The drug czar is Gil Kerlikowske, it looks like. The Guantanamo closure czar, which is on the front page of all the papers, is Daniel Fried. The AF–PAK czar is Richard Holbrooke. The Mideast peace czar, George Mitchell. We are very familiar with him, former Senator Mitchell.

The Persian Gulf-Southwest Asia czar, Dennis Ross. The Sudan czar, J. Scott Gration. The climate czar, Todd Stern. The car czar, Steve Rattner. He has been all over the place. The economic czar, Paul Volcker, who is very famous. The executive pay czar, that is one of my favorites right there. The executive pay czar is Kenneth Feinberg. And then the cybersecurity czar, position to be announced, but they are going to have one.

Now, right off I wondered about the cybersecurity czar, because we have got an infotech czar up here, which is sort of both first cousins anyway, and I don't know whether they will be working together or what, but they are going to have absolute power in their field, whatever that means. I think this is something we ought to be curious about. That is so many czars.

You know what is interesting? The Russians gave nicknames to some of their czars based on their behavior. I wonder who is going to adopt some of the nicknames for some of the czars? I don't think anyone would like to be called Alan the Terrible. We had an Ivan the Terrible in the Russian Romanov dynasty. I am sure they would all like to be Peter the Great or Catherine the Great, have ''the Great'' after their name.

□ 2045

But I guess we can make up names for them. But the question is, why? I think it's a question that the administration ought to have to answer.

You know, I'm not the only one asking these questions. A statement from Senator ROBERT BYRD said: ''The rapid and easy accumulation of power by White House staff can threaten the constitutional system of checks and balances. At the worst, White House staff has taken direction and control of programmatic areas that are the statutory responsibility of Senate-confirmed officials.''

And he's raising the same issue that I was raising just a few minutes ago, and that is, these people don't go through the confirmation process. There's no Senators looking and seeing what kind of reputation these people have, what they've done in the past, where their area of expertise is, whether or not this is the most qualified person, whether this is the person who would meet the constitutional requirements of serving our Nation. I know these are hired by the President. It's like there's this alternate universe that we're creating. We've got the Cabinet. I guess you leave the Cabinet and you go over to the czardoms and you meet with them, or maybe they all get in one room and battle it out. I don't know how it works. We'll see.

But this is sizably more czars than we've ever had. In fact, taking a look at President Ronald Reagan, he had one czar. President George Herbert Walker Bush had one czar. President Bill Clinton had three czars. President George W. Bush had four czars. So we've gone 1, 1, 3, 4, 22.

If these czars are set up to target historically needed help for people in this country, I think it's done with a good heart. But I really think we should be, we as the American people, should start asking why. Why should you hire somebody, for instance, to be the border czar? Now, Allan may be a really nice guy and he may be smart as a whip.

We also have Ms. Napolitano, who is the head of Homeland Security, and it is her statutory responsibility to be in charge of defending the borders of this country. And, in fact, it's the constitutional responsibility of every Member of this House to defend our borders. But it's certainly her statutory responsibility to defend our Nation.

We have an Energy Department; and the Secretary of Energy, I think, the best I can figure out, is supposed to be responsible for the Energy Department. Now, I wonder why we have to have this energy czar.

Urban czar. Well, we've got a Department of Urban Development that's, you know, Housing and Urban Development, HUD. That's been around for an awful long time. That is a Cabinet post. So why all of a sudden do we need an urban czar? We never had one before.

Infotech czar. I don't know where that would fall in the purview of the established secretariats by the Constitution or by statute, but somewhere.

Faith-based czar, I can—we've dealt with the head of a faith-based initiative in the Bush White House that came under a lot of criticism from the now-majority; but they've created one, and at least it is reported, put an atheist in charge of that, which, seems to me seems rather strange.

The health reform czar should be active right now, because, as I understand it, the President spent his day today trying to convince people in various places that we needed this massive health reform that he's seeking to put up. And he wants to actually create, put the government in competition with private industry on health care, I would say, leading to the kind of health care, ultimately, maybe through the back door, but ultimately, I think there's no doubt, and most experts would say, the recommendations that they're making, that they're pushing forward between now and probably the 4th of July, are to set in motion the possibility of a single-pay health care system in the United States run by the government. And when we have that, we will see the quality of our health care plummet, and we will see people like me, people in Washington, making decisions as to what certain people are supposed to do for health care, and rationing that health care.

Now, if you ask our good friends and neighbors to the north in Canada, you say, we hear you've got the greatest health care system in the world. They said, it is good; it's real good as long as you're well. But if you get sick, you've got to get on a waiting list to get treated.

And, in fact, we have a greater cure rate for breast cancer in this country by about 30 points, percentage points, than they do in Canada because they wait too long to take action on the breast cancer issue. Same thing goes for prostate cancer for men. These are things we ought to be thinking about.

We have somewhere in the 90 percentile success rate if we catch breast cancer early and aggressively pursue it. They're in the early 60s, like, 61, 63 percent. This is something that we ought to be concerned about.

If you get an orthopedic problem in Canada, say, a bad knee that you need to get fixed, you could wait 5 years before you get in to see the orthopedic surgeon, where, in the United States, you could probably see him day after tomorrow, and you could probably get surgery done next Monday. So we have to think about those things.

But we've got a health reform czar, and I'm sure she's going to tell us how it's going to work.

TARP czar, now that's particular and peculiar to what we're doing right now, and that's the TARP stuff. And there may be some understanding as to where that is. But, you know, we were told by two Secretaries of the Treasury that they were going to oversee this and they were going to make sure nothing bad happened. Okay. Now that's what they told us. We heard one under George Bush, and we now hear one under Barack Obama. And both these guys have told us that they're going to be looking out for our money over here. But we've got Mr. TARP czar is doing that.

And the stimulus accountability czar. Accountable to who? And what does that mean? But I'll tell you, there's no doubt about it now. This is true. The American people are sure worried about how this money's being spent and where it's going, and is there any waste, fraud and abuse involved in it as it comes out, because when you start throwing around billions and billions and billions of dollars until you reach trillions of dollars, it doesn't take a rocket scientist back home to figure out that much money is just a target for somebody to abuse the system. So maybe that's a good thing.

Nonproliferation czar. I assume that's nuclear proliferation. That's what you always hear connected to the proliferation word. But the question is, that's sort of new.

Terrorism czar. You know, when 9/11 happened, and this was before I came to Congress, when 9/11 happened, the Members of Congress here, in their combined wisdom, in a very, very, bipartisan effort, which everybody wondered about bipartisanism, in a very bipartisan effort, created the Department of Homeland Security. And it wasn't just for borders. It was for all issues to protect the homeland of America. And they became the entity where we gathered experts on terrorism.

Of course, all of our military services intelligence divisions have always had information about terrorism, because that's part of their job. They know who has to clean up the mess after the mess is created. And so our military certainly has that information too.

But we created, I would argue, one of the largest, outside of the Defense Department, Departments in the entire United States, and it was created because of terrorism, but now we've got a terrorism czar.

The drug czar we've had, I'm pretty sure, in every administration for the last four administrations. And I know how that works, and I understand how that works. Now, whether or not we—drug czars have had the absolutism that the word ''czar'' seems to indicate, I don't know, and whether these folks are going to have that kind of absolute authority is anybody's guess.

Guantanamo closure czar. At least we know this guy is going to be out of work by the end of next year, that is, if the administration keeps their pledge. Now we've been told, absolutely, that by this time next year, Guantanamo will be closed. And so this guy's got a short—he's on a short leash.

The AFPAC czar, I don't even know what that does.

Middle East peace czar, well, you could just also call him an ambassador, a credentialed ambassador or whatever they call those people that go out and negotiate peace. And George Mitchell's done more than his share in his lifetime, and he's very competent. I'm not going into the competence of any of these people.

As far as I know, all these czars could be, ultimately, Allan the Great, Carol the Great, Adolfo the Great, Gary the Great, Jay Scott the Great. I mean, just like Peter the Great. We don't know how great these guys are going to be; but they could be one of those. And let's hope none of them end up being Ivan the Terrible, because that would be terrible.

Persian Gulf czar. Sudan czar. Now, we have an ambassador to Sudan, I think, and we have diplomats that work with Sudan. We have a Secretary of State who has an office that Sudan falls under, and I'm sure she has got some of the best experts on Sudan anywhere in the country, just like she does on the Persian Gulf, just like she does on the Middle East. The Secretary of State has the best people we can hire, and some of these people have been working in this field forever.

And now we've got a Sudan czar. This means this is the absolute monarch of Sudan experts? And what does it mean? Or is it just an associate of the administration that needs a job? I don't know. I don't know what it does.

Climate czar. It's not climate change czar. It's not global warming czar because we've had to change those terms. We started with climate, started with global warming and it started getting colder, so that's kind of dropped, and now we're at climate change czar. This guy doesn't even get the word change. He's got to be the climate czar.

You know, we always blame the weatherman for the weather. But, hey, we've got a czar we can blame now. This guy could very quickly become, that could be Steve the Terrible. Very quickly. How would you like to be responsible for the climate of the United States? I mean, that's tough. That's a tough job.

The Car czar. Well, if this guy doesn't do his job, he's going to have a whole lot less to be czar over, because the Federal Government now runs the car business and at least two of the largest three firms in our country, so he sort of could be the government auto czar because the government's now in the automobile industry. Heaven help us.

The Economic czar, and I know we've got a half a dozen people that serve in Cabinet or sub-Cabinet positions that we refer to as economic specialists, including, we've got the Federal Reserve that gives us advice on economics, and we've got the Secretary of the Treasury that gives us advice on economics, we have a board that gives us advice on economics, and there's an economist behind every bush. Probably the only thing more in Washington that we've got than economists is lawyers. Heaven help us.

But we've got an economic czar, and he's one we've heard of, Paul Volcker. And I guess Paul's going to tell us how it works.

Now, this one is the one that got me wondering about this czarship, executive pay czar.

□ 2100

There are an awful lot of people asking: What does that mean? We know at a minimum what it means is that we're going to decide what some of the big firms that took bailout money are going to pay their top executives. It has been all over the papers and on all of the TV shows about the various, huge, gigantic amounts of money that some CEOs and CFOs and others get paid with bonuses in some of these large corporations. It's really beyond most of our ability to conceive of how much money these folks get. So this guy is going to limit that.

Then the question becomes: If he is going to be the czar—the absolute monarch—over executive pay and that executive pay is going to be from anybody who took government money, then does that mean anybody who got a tax break from the government could be kind of grandfathered into this deal? Does that mean for anybody who got a grant from the government and a big one—not the bailout money, not the TARP money or the other one, the stimulus money—that he's going to get to tell them what their pay is going to be? In fact, maybe the company that you work for has gotten some of this money. Is he going to be able to tell your company what you're going to get paid? Where does it stop?

So is this really a wage-fixing czar? Is that a better term for this than executive pay czar? I don't know.

Finally—and we haven't gotten the person's name yet—there's the cybersecurity czar. Then we've run out of space on the page. I guess the next thing we'll find out is that, instead of 22 czars, we may have 42 czars.

I tried to find out what these folks get paid, but I haven't been able to figure it out yet. Stay tuned. I'll try to come back to you and talk to you about what all of these czars are going to get paid. You know, if they're following in the Russian pattern, it's going to be pretty good because those czars lived in some pretty nice houses, and they did pretty well. So, in 300 years, the Romanovs had 18 czars. In 146 days, the Americans now have 22 czars.

I am very pleased to see that I'm not by myself today. I have a good friend. My good friend, colleague and classmate is here, STEVE KING from Iowa. STEVE is always ready to have some fun.

STEVE, what do you think about all of this? I'll yield to you as much time as you wish to consume.

Mr. KING of Iowa. Well, Judge CARTER, I so much appreciate your bringing this issue to the floor of the House of Representatives. I appreciate the chance to address Madam Speaker in this subject matter.

I have not seen this list of czars. Actually, I went home for the weekend, I think, with 19 czars and arrived back in Washington with 22 czars. There might have been 3 that materialized over the weekend. I look down through this list, and the first thing that hits me is, well, let's see: border czar. I'm the ranking member of the immigration subcommittee. I've never heard of him. I'll go right down the list. A few of them I've heard of but not very many, so I don't think they have a very high profile—but czar, czar, czar 22 times.

There were only 18 czars in all the history of the Romanovs. Did I get that right?

Mr. CARTER. That's correct.

Mr. KING of Iowa. It occurs to me, if you think about the flow and the continuum of history, all of the czars were precursors to the Marxist era of Russia. So I don't know if this is any kind of thing we ought to be thinking about, but the implications that come with the nomenclature here of these people who are supposed to be managing these jobs for which we already have people to do causes me to think:

Is this a precursor for what's happening in a nation that has seen our major industries nationalized? Fannie Mae and Freddie Mac—nationalized. Large investment banks—nationalized. The largest insurance company—nationalized. I didn't see any czar here for de-nationalization, for one thing. I'm looking for that. I'd like to appoint that czar of de-nationalization. I could find just about anybody on the Republican side of the aisle who would make a good de-nationalization czar because, you know, I'll present this list that's in my head but that's not very well refined, and maybe we'll get it a little better.

It just occurs to me that there are, oh, 6, 7, 8, 9 or 10 different things that President Obama has engaged in without an exit strategy. That would be the nationalization of a list of our major investment banks. I don't know how many that is—four or five perhaps. It would be the nationalization of the largest insurance company, AIG. It would be the nationalization of Fannie Mae and Freddie Mac. So I may be up to about eight. We ought to research this list a little bit before we publish it as the final total because I could surely forget some. Now I'm to 8, 9 and 10. Let's put down Chrysler Motors and General Motors while we're at it. When you end up with a 60 percent share in General Motors that the taxpayers are holding—that's the American taxpayers—and another 12.5 percent held by the Canadian taxpayers, that would be 72.5 percent of General Motors that is owned by government. It would be 17.5 percent owned by the unions, and it would be, I think, around 12.5 percent owned by the bondholders, the part they were able to hold together of their secured interest.

Yes, we need a czar to figure out an exit strategy for all of these things that President Obama has engaged in without an exit strategy. It occurs to me that he was elected as President of the United States, in part, because of his relentless criticism of President Bush for going into Iraq without an exit strategy. Now I've just named 10 things that he has entered into without an exit strategy. By the way, for all of them, he said, I don't want the government to own them, and I don't want to have to manage them, and it's not my business to do so.

Turn around the next week and nationalize something else. Do a photo op with Hugo Chavez. That great nationalizer in Venezuela appears to me to be a piker compared to the one we have in the White House.

As for these 22 czars that we have, the ones that stand out and get my attention are, for example, the executive pay czar—the payroll czar—the guy who sits there and figures out Joe's making too much money and Shannon's making enough, and we need to have some more people out here who are sacrificing for the good of the whole. I look at that. Then as I understood this, too, it went beyond those who had taken Federal money, but they were going to at least look at executive pay in all of the large corporations—at the CEOs—and make sure that that wasn't out of proportion.

Do you remember that number? About $500,000 is plenty enough for anybody to make in a year or so. I think, theoretically, you could put a cap on all of that. It's harder to do so if there isn't Federal money involved, but it's not impossible to do so if you look at some of the impossible things that have already been accomplished by this administration.

Mr. CARTER. If the gentleman would yield, I would reclaim my time for just a moment.

Mr. KING of Iowa. I would be happy to yield.

Mr. CARTER. If the issue would be a Federal nexus, it would be hard to find an industry, really, that wouldn't have some connection with the Federal Government if they've gotten a grant, if they've gotten a fellowship, if they've gotten a guaranteed loan, if they've gotten a tax break that's designated for their industry that other industries didn't get. All of these categories could be quickly expanded to add to that stimulus czar, if you will.

So I'll yield back.

Mr. KING of Iowa. I thank the judge from Texas for pointing that out, because there is a Federal nexus in almost all business in America, and they can find a way to control it.

My father always told me there's a difference between ''reasons'' and ''excuses.'' He knew the difference. I didn't always know the difference, but today, I think I do. These are excuses. Think of this: The executive pay czar—the payroll czar—looking in at CEOs. He fires the CEO of General Motors. He hires his guy. He appoints all but two members of General Motors' board of directors. He says, I don't want to run this company, but you're going to have to build a car that looks and runs like this, and you're going to have to stop building these cars, and we're going to make this all environmentally friendly in this fashion, and we're going to decide who gets paid and how much—who gets paid, because he fired the CEO, and how much.

By the way, we had the CEO of AIG, who was working for a dollar, who came to this Congress and who, I think, was treated disrespectfully by the members on the panel. He should have—and did—thrown the thing up. He was trying to do the right thing for America for $1 a year, and that wasn't enough to satisfy them.

So I'm thinking: What Fortune 500 company would be exempt from the scrutiny of the executive pay czar—the payroll czar? I can't think of one, because they view these corporations as being evil capitalist corporations.

They still haven't looked over into Hollywood, for example, and decided that some of the actors, directors and producers are probably making too much money by their own standards here. They wrote a lot of checks to these people who are in the White House today, so you haven't seen that scrutiny that would come; but if you're going to be an executive pay czar, you should look at everybody's executive pay.

Then I suppose we get into the professional sports athletes, who do make a lot of money. Maybe, you know, you're playing, so that must be fun. It probably doesn't demand more than $500,000 a year no matter how good you are. Pretty soon, America is no longer a meritocracy; it's a rate-regulated government entity that decides who gets paid and how much.

The payroll czar, outrageous. It is really outrageous. The climate czar. You know, I remember we did a dedication to a park we built in my hometown of Odebolt. We did it on the last

Friday of October, which is a very risky thing to do outside in Iowa. I gave the opening speech before we cut the ribbon. Then Pastor Johnson stepped up. It was a beautiful day. It was 75 degrees on the last Friday in October. You just don't see that in Iowa. In my opening speech, I said, Well, I take credit for the weather. I planned this. After I took credit for the weather, Pastor Johnson stepped up to give the opening prayer, and he said, Now I'm going to give credit for the weather where it's due. I deserved it. He did it with the right tone, and I appreciate that exact correction.

The climate czar. I'd like to talk to the climate czar about the science involved in this. I'm not finding people who understand, who can explain and who can defend the science in this alleged global warming. By the way, this isn't even the climate change czar. He could have been the global warming czar a year and a half ago. Six months ago, he should have been the climate change czar, but now, since the climate is changing in the wrong direction, he's just the climate czar. So there is a sense of desperation that as this Earth seems to be flattening out or cooling marginally that their argument is disappearing, and they have to pass this cap-and-tax legislation before we get a longer track record of an Earth that's not warming.

I'll say this into the RECORD: These folks who are pushing—WAXMAN and MARKEY—are wrong on the science. They can't defend the science. They can't argue it against people who are of equal scientific training. They can't even argue it against me. I'm happy to do that, by the way, and I'm happy to have that debate with Al Gore and with the rest of them who come along. Even if they were right on the science—and they're not—they're really, really wrong on the economics. This has almost become a religion. It has got political inertia.

We saw and heard from a Ph.D. from Spain. Spain embraced the green country. They wanted to be the leader in green energy for the world, in the industrialized world, so they set about doing that. They built a bunch of wind chargers, and they raised the cost of their electricity. They became the leader in renewable energy of the industrialized world. They also became the leader in unemployment at 17.5 percent. They became the leader in the increase of utility bills—20 percent to residents but a 100 percent increase for industry for electrical bills. This was over a 3-year period of time.

Even then, they couldn't keep up with the additional costs of electricity, so they had to bond them out on the international financial market. They didn't have the money to pay the bills, so they pledged the full faith and credit of the Spanish Government to later on pay off these bonds, which truly means that the cost of green energy in Spain was being passed down to the grandchildren. They couldn't even pay their electrical bills in this time.

So they lead the world in unemployment at 17.5 percent. They created a lot of green-collar jobs at the cost of $770,000 a job and at the cost of 2.2 private-sector jobs that they lost.

So I'm hopeful that the climate czar, Mr. Todd Stern, will take a look at Spain. I would refresh the memory of the Speaker and of yourself, Judge. Take a look at Spain because President Obama has said we should learn from Spain and that we should emulate Spain. They have led this green revolution. I'm convinced that the climate czar had to have taken the oath to be supportive of such an idea or he wouldn't be the climate czar.

As I listened to our Secretary of Agriculture testify before the Ag Committee last Thursday, of all the logical questions we asked from both sides of the aisle, it looked to me like he had to take the oath to support the President's agenda on this Markey cap-and-tax legislation no matter how bad it is for agriculture and no matter how bad it is for our economy.

I wonder if all of these people believe that you can grow the economy by increasing the expenses of business in America, because that's what cap-and-tax does. So put the climate czar together with the economic czar together with the executive pay czar. I wouldn't worry about cybersecurity. I'd like to penetrate that and know what all they have to say and how they're really thinking about this convoluted approach.

□ 2115

But the payroll czar is the one that gets me the most, the one who can decide what everyone ought to be paid. And I'm wondering, before I yield back, that if they're going to control the pay of the neurosurgeons and what would a neurosurgeon be worth. Would he be capped at $500,000 a year, too? Or could we just get a cheap lobotomy for some of the people who thought this up.

Mr. CARTER. This bottom of the page, you're right. The one thing I find good about the climate czar is the poor old weatherman is going to get a break, because when the weatherman on Sunday night says it's going to be a beautiful day all day long and it rains, who do they blame? The poor old weatherman. Now they can blame the climate czar.

You know, these folks here, here on the majority side, they would like all the center of the universe to be Washington, D.C., and there you go. Now, everybody in the country will be blaming the climate czar for bad weather. At least we've got centralized blame.

I'm sure that there are some people sitting at home saying—and in this body saying, Why are you talking about this? I think there is something really critical that we need to interject into this, and I said it briefly, but it really takes us out of the realm of humor and into the realm of seriousness.

When you realize the Founding Fathers that created this country, they assigned the government with checks and balances, and this circumvents that system. This puts absolute authority in these people's hands at this category. And they have not gone through any Senate confirmation, which the executive branch, those people are supposed—all of our Secretaries and Under Secretaries have to be confirmed by the Senate. We've got a good friend in this body that's going to be—that has been nominated for Secretary of the Army, and I certainly hope he gets confirmed by the Senate, and I'm sure he will, but he has to go through that.

These people don't go through that. There is nobody overseeing this but the executive department, but the President of the United States. So there's no congressional oversight. There's no judicial oversight, both of which were created by our Founding Fathers. No. The only real person they answer to is the President of the United States. And they work for the President of the United States. He hired them. He chose them. He put them in this position. I'm sure he's paying them good money. But they don't do what our Founding Fathers envisioned our country to be doing. So what does it create? It creates an executive department that is garnering power in every area.

I'm joined by my very good friend from Texas, LOUIE GOHMERT. I yield to you however much time you wish to consume.

Mr. GOHMERT. I appreciate my friend, also former judge, for yielding. And your last comments were exactly what I would like to discuss as well, and that is these people are unelected. We were promised before the November elections that they would have unparalleled transparency, that you would know everything about the government, everything that was going on. We were going to be transparent. We were told if only we would elect the Obama administration, elect him President, and that would happen.

And we've heard people say in this body that there was a mandate, you know, that we got a mandate to do. No, he didn't. You barely got a majority that elected you to have transparency.

We were promised there would be change because this administration would stop the insane deficit spending. And some of us, including those of us here, were not happy with our own President Bush and his administration spending too much money. And they got enough of our colleagues to help them spend too much money on our side of the aisle, some from the other side of the aisle, but it was too much money. And the people voted him in to stop the insanity. So this is what we're getting.

And a czar, I would submit, is probably the proper term because they're not accountable. You know, the Senate tried to get Rattner to come over and testify. We don't know how much they're making. They have these

closed-door meetings and they're making these incredible decisions about the future of the automobile.

Now, some people don't understand, but if you study enough history, you know that when you can no longer produce the essential things you need to conduct warfare to defend yourselves when you're attacked, then you're going to stop being a country. When you can no longer stomach doing what it takes to win to protect your country from nut cases around the world, then you lose the country. And here, we've got these people who are just ignoring the law.

And you look at what this czar did with cars. Now, he said, Well, we didn't tell them which dealerships to close. But this closed-door secret society appointed by President Obama meets behind closed doors, exerts pressure. We've already seen the pressure this administration brings to bear: Well, you do this or else we're going to go out and we're going to blacken your name among the media. And we've seen that happen.

We've seen the beating that secure creditors took when they simply said, You really ought to follow the law here. Well, they were being un-American. Those people, Madam Speaker, those people were not being un-American. They were trying to follow Chapter 11 law. The law is clear. It has been for years. There's going to be a Chapter 11, there is going to be a plan. There's got to be disclosures about the plans. There's got to be hearings about the plans. There can be alternatives to the plan. You can have objections. You can have motions for relief from the State. You could have all of these kinds of hearings. Well, they just bypassed all that law, just bypassed it and said, We're going to turn the law upside down because we're secret-meeting czars who are not going to let people have their rights under the law. We're going to obliterate the law, which they did.

And then they found a bankruptcy judge who they believe would probably sign off on this plan because, let's face it, if you're a bankruptcy judge—of course, they come up for reappointment every 14 years. I don't know when this judge comes up again, but apparently he wants to be a judge for a while longer. But anyway, they found a judge who was interested in not having all the hearings the law requires to give the dealerships a fair hearing, to give the secured creditors a fair hearing, to give the unsecured creditors a fair hearing, to give all of those who had contractual relationships with those who were being addressed by this secretive czar meeting behind closed doors—there should have been hearings. There should have been transparency. That's what the voters voted for, and they didn't get any of that. Just turned the law upside down.

So I hope that my friends will be pleased to hear that since we're taking up the Commerce, Justice and Science appropriation bill this week, I've got an amendment in there. It's very simple. It says no money appropriated can be spent to pay the auto task force, including the car czar. If they're not going to tell us what they're doing behind closed doors to turn the laws upside down and to ignore the constitutional takings, which is occurring, and to ignore all of the contract law, the bankruptcy law, if they're just going to ignore the law, then we need to ignore paying them. And I hope that the Rules Committee, I feel like we'll have a lot of bipartisan support on this because I know people on both sides of the aisle want to know what's going on. We were promised transparency, and by golly, we gotta have it.

I appreciate the gentleman yielding, especially on this topic of czars, but we know what happened to the czars. People got sick of it and they threw them out. Now, I would never advocate what happened to the last czar and his family, totally inappropriate. But here in America we have another way of throwing out czars. We have elections, and the people have a choice. They were promised transparency, and this kind of baloney is not it. And I hope the American people respond appropriately.

Mr. CARTER. Reclaiming my time, I thank my colleague for his passion.

I was on the floor of this House about 6 weeks ago talking about exactly the same thing. We like to tout the rule of law. We like to say—and, in fact, it's true—that what really makes America work is having the rule of law. That means when you make a contract, we honor that contract. When we have laws on the books, we follow those. We can depend—as an investor or a purchaser or an employee, we can depend upon those laws which have been written in the bankruptcy arena, for instance. And I agree wholeheartedly with my colleague that the way this has been handled, we have thrown the rule of law in bankruptcy law right out the window.

Mr. GOHMERT. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. GOHMERT. One further comment about that. By getting a bankruptcy judge to sign off on this, now this unelected, unaccountable, nontransparent body has gotten under the guise of one lazy bankruptcy judge's signature, they now have cover or color of the law.

Now, I thought when Justice Ginsburg stayed the sale to Fiat that we might finally get some rule of law, but it looks like so far the bankruptcy court on up to the Supreme Court has said, You know what? We're scared of these people, so let's just let these unelected czar people, let them run things. And judiciary, we're not going to hold them accountable.

And if this body, this Congress does not hold them accountable, then we have become a country run by czars because the Congress has not made them accountable, judiciary's not made them accountable. So they're just running things. And everybody has allowed them to usurp the things that the Founders fought and died and pledged their lives, their fortunes, and their sacred honor. We cannot let that happen.

Mr. CARTER. I thank the gentleman.

I believe my friend from Iowa (Mr. KING) would like some time. I'll yield 5 minutes to Mr. KING.

Mr. KING of Iowa. I thank the judge from Texas for yielding, and as I look at this list, a couple of things do come to mind. I'd go back and refresh two places there: the TARP czar, Herb Allison, and the stimulus accountability czar, Earl Devaney. Those two places there, add that up. We're at about, oh, let's see, $1.5 trillion, in that neighborhood. Now very close to that.

And it might be good to ask them, Where's the money and where did it go? Now we've got a centralized place to at least ask the question on a level of accountability. Now, these people are not accountable to the Senate for confirmation. They're not accountable for elections, and they are accountable only to the President, as far as we know. But the least we could do is put some pressure on them and ask for a full accounting of where's the TARP money and are we going to let all of the people who want to pay that back pay it back. And does the money come back to the Treasury, or are you going to roll that over into some other venture capital kind of government endeavor.

And the stimulus accountability czar, Mr. Earl Devaney, I would be really interested, Madam Speaker, if we could get an answer back from the stimulus accountability czar on where is all that money. How much of it has been spent and where? How much of that went into infrastructure? How much of it actually converted into jobs? How much of that infrastructure is going to be usable and useful and stimulate the economy? I would like to see the list.

And I understand that the number of those dollars that have actually gone into infrastructure is something like 3 to 4 percent of the overall $787 billion that were appropriated in the stimulus plan, which was the same as the TARP funding. Hurry up and put the money out now because we're in an economic tailspin. We had a Chicken Little drill going on here in this Capitol a couple times in the last year, and that yielded $1.5 trillion from the taxpayers that my grandkids are going to have to pay. And we still don't know where the money went, and we still don't know how it is that all of this money that's appropriated didn't get implemented right away.

And now we have this long-term debt for America, this long-term debt that once you take on that kind of debt, whatever your economic crisis is that you're in, taking on a lot of debt delays it, delays the recovery. That is the

equation that takes place. And I think we should be able to have real-time accounting. There should be a Web site there. Here's your $700 billion in TARP money, and here's where it all went. Here's a spreadsheet. Click on here and we'll give you a changing scene real-time.

□ 2130

I think there ought to be a Web site, also, for the stimulus accountability czar so that he could have that Web site up. We wouldn't have to be pressing for answers; America could just go to the Web site. They would contact us, and let us know what they think about how this money is being spent or not being spent.

But one thing we know is it has not been—and doesn't look like it's going to be—spent according to plan. And whether or not it's spent according to plan, the results don't look like what they were designed to come out of either the TARP funding or the stimulus funding that came. And by the way, I'm proud of all my colleagues for voting ''no'' on that plan. Remember, it was one leg of a multi-legged stool that we had to construct in order to get us out of this economic crisis; that's what the President told us that day. It looks like a multi-legged stool has got to be a four-or-more-legged stool. If it was a three-legged stool, you would say so. I've never seen a two-legged stool and I've never talked to anybody that had ever seen a two-legged stool. That would defy logic, but so does this stimulus plan defy logic. So maybe it is a two-legged stool, but I think it's more like a four or more, at the cost of about $2 trillion a leg, Madam Speaker.

So what do we get back for that? And these margins that were to come, we weren't going to see unemployment go up over 8 percent and now it's 9.4 percent. And I didn't see how the stock market closed today, but the last I looked at it, it was down 204 points; and I don't imagine how it had a good day. The level of confidence there, it seems it's less volatile than it was, it's more stable than it was, but we have a whole lot more debt than we had. When this all started, the Chinese were happy to buy our debt. I was never happy to sell it to them, but they were happy to buy it. Today, they're not happy to buy it, and I'm not happy to sell it to them.

We've got to find a way to tighten this belt. We've got to tighten this belt down, and we've got to slow down this spending, and we've got to get back to balancing our budget. I believe that every one of us here on this floor voted for a balanced budget this year. And in the face of all this economic crisis—those of us on the Republican side of the aisle, many of us supported a balanced budget—it's hard to put one together in this tailspin that we're in. We did that. We voted for it. And that sends the right message. And every year hereafter we've got to put a balanced budget out there and build the votes until we can actually get it balanced.

I yield back and thank the gentleman from Texas.

Mr. CARTER. I thank my friend for joining me.

As we sum this up here, Mr. KING mentioned something that I think is important. He mentioned we needed a denationalization czar or an exit strategy czar, or maybe both. In this world of proliferation of czars, maybe we need both. But the reality is, in seriousness, when the President of the United States came into office, he told us there is a drop-dead deadline we're going to get out of Iraq. This is it. There is a drop-dead deadline we're going to close Guantanamo Bay, and this is it. So this time next year, we won't even need the Guantanamo closure czar because it will be closed. And very clearly, we are going to draw down our soldiers in the war in Iraq.

The President has shown leadership. Whether you agree or disagree with him is for other times. But he certainly has become one who says there should be a drop-dead date, an exit strategy. I think it is important that this Congress, when we look at this massive increase in the executive department and we say to ourselves, They are not answerable to us except through the appropriations process, we can cut off the money, but other than that, they're answerable to the President.

We had nothing to say about who got hired. We had nothing to say about what the duties were. This was a creation of the executive department, and that would be the President of the United States and his staff. They owe this Nation and some of these areas a time to get out.

They say they don't want us to run the automobile industry. Well, we need to be planning on getting out of the automobile industry. We can't stay in there. The country doesn't want a government-made car. Just ask them; they don't want one. So we can get rid of the car czar, the executive pay czar, a lot of these other czars, if we would just say, this is their mission, here's when we expect that mission to be accomplished, as we did to our soldiers, and this is when we expect it to be accomplished, and by that date you either accomplish it or you're getting out.

You know, I personally think the way we look at this massive $1.5 trillion worth of authorized spending, authorized by this House—mainly that side of the aisle—the way we look at that right now is we should be saying stimulus means rapid infusion into the economy. Anything that hasn't been rapidly infused this year we should halt. So if they haven't spent the $787 billion—or whatever that number is—like right now, at least some papers report only $25 billion of that money, or we'll say $40 billion of that money has been used so far. And if you study some of those projects, many of those projects are for getting money to people for things that will not have an effect on our economy for years—3, 5, 7 years down the road. That's not stimulus. If they haven't gotten the thing done this year, we ought to say, de-authorize it at that point in time. It hasn't worked; try something that works. That's where we ought to be. That's the way this Congress needs to start thinking because we are creating a power structure that is outside the normal power structure of the executive branch of the government. These are things for us to think about.

Madam Speaker, I thank you for your courtesy tonight.

CLOSING GUANTANAMO

The SPEAKER pro tempore (Mrs. KIRKPATRICK of Arizona). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Madam Speaker, I appreciate the honor to be recognized and addressed here on the floor of the House of Representatives. And I appreciate the collaboration of my colleagues from Texas, the two judges from Texas, that addressed this subject matter of the czars in the last hour.

A lot has been said about the czars, and now maybe I will just transition from that into another subject matter, Madam Speaker. But the idea that we are going to see the end of the Gitmo closing czar, it's pretty interesting to me. We have an Attorney General that seemed to have gotten that assignment. I remember the look in his eye as he was trying to figure out what to do with that January 22, 2010, mandated closing date that was established by the President in his executive order.

I have also been down to Gitmo and seen down there in the commons area where the Gitmo inmates—the detainees, the enemy combatants, the terrorists, the worst of the worst—where they get in their communal area just off of where their little soccer field is, and it's an area where they play foosball and sit in the shade just off of where their big screen TV is, where they get their refreshments and their education in the English language and the cultural education that takes place. Just off of there, Madam Speaker—and not to set the scene too distinctly—there is a bulletin board just put up, it's a ply board. And on that ply board is the executive order, the President's executive order dated January 22, 2009. It's seven pages long, the English version of it, and that's set on this ply board. And then the Arabic version is about the same number of pages. And there is Plexiglas over the top of it. So these inmates, these worst of the worst—however many we have left down there—they can interrupt their soccer game, or stop, or if they're waiting their turn to play foosball, or whatever it might be, they can go over there and read or reread the executive order which says—it's a promise to the worst of the worst, the Gitmo detainees, that they're not going to be down

there in Gitmo one day past January 22, 2010. That's the pledge to them.

When I looked at that, I had been involved in a lot of this discussion that had to do with the Gitmo detainees and the utter logic that says keep them there, don't close Guantanamo Bay. You couldn't have a better—no nation has treated the people they picked up in warfare as well as we have treated the Gitmo detainees.

So these individuals are down there, and they live in air conditioning. And they say their cultural temperature is between 75 and 80 degrees, so they, essentially, are the ones that set the thermostat in their residences—which they are cells, private cells. They don't share a room. They have private cells with a nice little arrow on the floor that shows them where Mecca is. And our operations down there stop five times a day for 20 minutes each time—that's 100 minutes a day—while our guards stand respectfully and wait while the five prayers a day go on. This 100 minutes isn't interrupted by their opportunity to fill out the menu. They do that at a different time.

They get to choose from nine different items—five-times-a-day prayer, 100 minutes a day, nine different items on the menu every day they can choose from, check the box and decide which ones of these Islamicly approved meals do they want to eat in the three squares a day that they get—all within the air conditioning that they live in if it's not their desire to go outside in the fresh Caribbean air and play a little soccer and foosball and schmooze around a little bit.

So there is a pledge on that bulletin board, and that pledge is the executive order with the Plexiglas over the top of it. It is President Obama's executive order that is the commitment from the President of the United States that Gitmo will be closed.

Now, when I saw that, I came to the conclusion that no matter how much logic there is that supports sustaining Guantanamo Bay, no matter that it is the best place in the world for these Gitmo detainees, no matter that it's air conditioning and nine Islamic meals to choose from in a day and outside exercise and indoor climate control and arrows for prayer and the fancier prayer rugs that I don't know anybody that has rugs this fancy in their house, and a skull cap and a Koran—no Bibles, by the way. Out of the 800 or so inmates they've had down there, one of them requested a Bible, but it caused too much unrest among the rest of them so Bibles are not allowed. Neither are American guards allowed to touch a Koran. It comes in a special little bag carried in and everybody gets this Koran.

Well, of all of these things going on down there at Gitmo they have a promise, no matter how logical it is to keep it open, no matter how logical it is to process these enemy combatants through the procedures that this Congress has lawfully set up, Gitmo will be closed despite all logic. And it convinced me of that when I saw the bulletin board with the executive order on it. The President is not going to rescind an executive order that they have posted in front of the Gitmo detainees, the enemy combatants, the former terrorists. That is the strongest message that I picked up while I was there.

I will be happy to yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding.

As you were talking about Guantanamo Bay, it dawned on me that the world talks about American treatment of political prisoners, they call them. We call them enemy combatants, which I think, since we pick them up from the battlefield, we've got a pretty decent argument. We don't hear anybody talking about our enemies' treatment of our combatants when captured on the battlefield. There is a reason, I think. First off, we do everything in our power to make sure that we don't lose any of our soldiers, sailors, airmen and marines to the enemy. We even remove our dead. We leave no soldier on the battlefield; it's the pride of our military. But there is also an underlying principle here because, if you will recall, less than, I think, 3 or 4 years ago, they got their hands on some people and they dragged them behind cars and hung them from the bridge in Baghdad. They got their hands on another guy; and on television, with everybody watching, they cut his head off in front of anybody who wanted to watch it.

So let's compare nine selected menu items, temperature regulated to suit your lifestyle, and your religious material of choice treated with great respect—which is our way of dealing with prisoners versus decapitation, dragging, setting on fire, and hanging from a bridge. Where is the outcry? Well, there certainly can't be any comparison of treatment because we're doing our dangest not to see that happen again. And I'm proud to say that our guys are doing a great job on that; they're protecting Americans on the battlefield. It's because the enemy has no qualms with what they're going to do. Do you really think the enemy would be providing Bibles to the Christians that they captured? Do you really think, if they were from the border regions of Texas, one of their choices on the menu would be Mexican food? Give me a break. Anybody that's got any logic at all knows exactly what would happen to American prisoners that were captured, and that's why we fight so hard to keep them safe. I yield back.

Mr. KING of Iowa. Reclaiming my time and thanking the gentleman from Texas, I think it's an especially important point, and very illustrative, when you asked the question, Do you think the enemy will provide Bibles to any of our soldiers that they might one day capture as prisoners of war?

□ 2145

It sounds even ridiculous when you say it because it's so far out of the realm.

We are talking about one of the pieces that have to do with immigration, talking about renewing the religious workers visa, and we'll have about 5,000 religious workers come into the United States each year. And they should be and generally are required to, and often it doesn't work out that way, be affiliated with existing religious observations. They might well come from countries like Saudi Arabia or other countries in the Middle East, for example, those countries that aren't very tolerant of our missionaries going in there. So it occurred to me that if we really wanted to have religious workers visas here in the United States, we should turn around and require reciprocity. Just simply say to them, Fine, send your imams here to the United States, but the condition is we're going to send you some Baptist ministers and Catholic priests.

I yield to the gentleman from Texas.

Mr. CARTER. That's a very interesting position, and I agree with you actually. That would be the kind of world we would create. That's the fairness that Americans give to others. It's not the world of those we fight against. The world we fight against is an autocratic world in which it's their way or the highway.

One more thing I want to point out. I get kind of tired of hearing people say we've got to close Gitmo because it is the target for creating more terrorists. So let's see. What do you think is going to be the target if we take everybody out of Gitmo and put them in Leavenworth? Then next year the recruiting tool is going to be, guess what? Leavenworth. So now we're going to close Leavenworth, because it could cause people to go over to the terrorist side, and send them to La Tuna down in El Paso. But wait a minute. In a year that's going to be the target. That's going go to be the evil Guantanamo. So eventually they're going to end up in the Williamson County Jail. But wherever you put them, until they are back home on the enemy terrorists' battlefield, they will recruit based on that holding facility. It's a ridiculous argument to say you have to close Guantanamo because it becomes a recruiting tool for terrorists, because if they were in Leavenworth, it would be the recruiting tool for terrorists.

Mr. KING of Iowa. Reclaiming my time and thanking the gentleman from Texas, I would add to that that the representation of Gitmo is something that's created by the liberal news media and the liberal mindset and the MoveOn.org people. Name a criticism of Gitmo, and chances are that criticism is just simply untrue. One of those is that there were people waterboarded at Gitmo. Not true. It didn't happen. It didn't ever happen. But the public believes it did. So if there's a rumor out there, if there's an

urban legend that exists about something, do we go eradicate it because there's a rumor?

I don't understand what the criticism was of Gitmo in the first place. They had to go somewhere. It's a very humane thing to do. No, waterboarding didn't take place at Guantanamo Bay, but some really evil people reside down there. And they are not just innocent people that randomly were picked up. These are not goat herders down there. These are evil terrorists who believe their path to salvation is in killing us. And they have a command-and-control structure even to the extent they could order a simultaneous attempt at suicide that took place a couple of years ago; four that tried, three succeeded. Exactly a year to the day, there was another attempt. One succeeded. Now we have them all on a suicide watch where no one down there that's an inmate goes more than 3 minutes without eyes on from at least one of our guards.

One of the other things that's happened is you think about abusive treatment of prisoners. I see nothing but a culture of—it bends over backwards. There's too much respect down there, in my view, for these evildoers that are there. But on the other side of this thing is that on an average of 20 times a day, these inmates attack our guards. Half of the time they're throwing feces in their face, and the other half of the time they're physically assaulting our guards. And the worst thing we can do to punish them is reduce their outdoor exercise time down to 2 hours a day. And this is an evil empire nation and we ought to close down Gitmo because MoveOn.org is critical and liberal socialist Western Europe is critical and the people on the other side of the great divide of Western civilization are critical?

Many of them have designs on working against the United States, and I certainly don't include Western Europe in that. But I did have a conversation with the leadership of the Germans, and they said, Well, we think that you ought to close Gitmo, and they have been pushing hard for that, and that we should disperse these, at the time 241, detainees around to other countries in the world. But the Germans aren't going to take any of them as long as they might pose a threat to Germany. And how do they measure this? Well, if we're not going to bring them to the United States, then they must be dangerous for us to bring here; so why would they take them there? In other words, they put a condition on us that says they won't be accepting any; they'll just be pressing us to close Guantanamo Bay.

My answer to that is if you won't take any of these inmates, then it looks to me like you don't have anything to say about Guantanamo Bay. Your opinion, I believe is invalid, along with most of the other criticism that flows out on the behavior.

A nation has got to be able to stand some criticism. We didn't elect a President to run around the world and apologize to every continent and do a contrition tour of the world. That's not going to make people like us any better. And, by the way, I'm not so interested in being liked; I'm interested in being respected. And that's the thing that will bring about the right kind of results from the enemies we have. When they see us knuckle under and go wobbly because of a little criticism, and we'll close a place like Guantanamo Bay, thinking that then their criticism is going to move along because somebody said it's their best recruiting tool—who says, and why? And if that's their recruiting tool, there are many things that they can gin up over the Internet that would stimulate people to join their side.

What do they say? ''Remember Guantanamo Bay''? Is that like ''Remember the Alamo,'' a recruiting tool for 140 years or whatever it is? It doesn't hold water, in my analysis, and I just believe that this backpedaling from international criticism doesn't get you anything except more international criticism in a different area, and that's something that I think that the judge and I agree on.

Mr. CARTER. I thank the gentleman for yielding. Don't be comparing it to ''Remember the Alamo.'' That's pretty sacred stuff from where I come from.

But, seriously, today I was watching the news, and I saw these four detainees who are now living in probably the most luxurious setting I believe I've ever seen in, I believe it's Bermuda. I mean it's a beautiful house overlooking the ocean with a swimming pool. It's like a three-part swimming pool, a swim area and I guess that's the lounging area or maybe a kiddie pool. I don't know what it is. And these guys are sitting there. Like the guy said the other night about what was reported on the money we were going to spend to send to Palau, where they were talking about putting some people out on that island. He said at that rate of spending, $200 million for 12, I think it was, that were going to go to Palau, if that's the rate of spending, why don't we just buy the Waldorf Astoria and put them all in there because it would come out cheaper? And, you know, it would.

I think that the world is going to look and say, Look at how the administration is reacting to this criticism of Guantanamo. They're pulling them out of a state-of-the-art prison which has state-of-the-art rules and state-of-the-art treatment and they're moving them to the tune of $200 million to an island out in the middle of nowhere?

By the way, none of these guys are on the no-fly list. Because I remember we voted on that less than 2 weeks ago to put them on the no-fly list, and the majority killed it in a big, big way.

Now, we pay $200 million to Palau. They go out there and hang around a while until they kind of get their feet on the ground, and then they're on a great white jet headed anyplace they want to go. And they're not under detention there. In the Bahamas where those four guys are, they've got freedom of the island. In the Bahamas you could get on a boat and go to the United States. We've got drug smugglers probably that smuggle that route.

But, seriously, this is ridiculous how we are overreacting to this thing and doing things that I'm sure the rest of the world has got to be saying, These guys are crazy in the United States, setting these guys up in a seaside resort in Jamaica. Insanity rules.

Mr. KING of Iowa. I thank the gentleman from Texas.

We were having a lot of discussions here about some things that were heretofore unimagined just a few months ago or even just a few years ago. And as we transitioned over into this discussion about Guantanamo Bay, this discussion will go on, but the bottom line of it comes out to be this: Yes, there are a few of them that could potentially be facing a death sentence. A few. I don't know how big that number is, and I can't get a definitive response. I guess I should pass my request over to the Gitmo closing czar and ask him how many are facing a death sentence.

But let's just look at it in this fashion: And that is that it looks like they are going to close Guantanamo Bay. They're going to disperse these people to places wherever they can get rid of them. Some of them are likely to be released in the free world, some into the United States of America. These are the worst of the worst. We have about a one-in-seven recidivism rate of those 558 that we'd released that were the nicest guys of the lot. The least dangerous is a more accurate way to describe them. And even out of those 558, we see a recidivism rate where they have turned around and attacked Americans and free people one out of seven that we know. And I don't know what percentage it is that we don't know. But if one out of seven will come back and attack Americans when you pick the best of the worst, what will be the attack rate on free people when you release the worst of the worst? It will be greater than one out of seven. And this number is 241. So divide your seven in there and multiply it by whatever that factor is, a two or a three or so, and you'll come up with a number. I think we're going to see 50 or more of them that will turn around and attack Americans or other free people.

The bottom line of the executive order is that most or all will eventually be released and they will attack free people and innocent people will die. And among those innocent people are likely to be Americans, and that will then be the news story that will come back. And then we will replay this and unravel it all the way backwards again, and it will be, well, only one or two or three mistakes that only cost 20 or 30 or 40 lives, so that we could avoid this criticism and shut down an operation that has actually been built up to accommodate the people that are there now, including the

Uyghurs, who are now wasting away in ''MargaUyghurville'' from what I understand. I can't even say it because I get Jimmy Buffett and Warren Buffett mixed up, I think.

Mr. CARTER. That's good. I like that.

Mr. KING of Iowa. If this subject matter has been utilized, I think, adequately, I want to take some of this discussion over, Madam Speaker, and talk a little bit about where we are with cap-and-trade and cap-and-tax.

It looks like this administration and the majority in this Congress are determined to push through a Waxman-Markey bill or some version of it, probably the version that came out of committee here a few weeks ago. And I have taken this position, and I hold it, and that is that they are wrong on the science, and they're wrong on the economics.

I want to address the science in a fairly short degree here, and it turns out to be this: Remember our history. This issue was brought before this Congress, I think the year was 1988, although I haven't referenced that. That's strictly from memory. It was a hearing on climate change. No, excuse me. It was a hearing on global warming. And the lead witness on that was Dr. James Hanson. By coincidence, he and I went to the same high school together. He was there ahead of me, and I don't recall him. But I understand that the testimony was midsummer. The room was not air conditioned. The humidity about matched the temperature. And as the Members of the Congress sat there and sweated, they were being told that this world was going to get warm and all kinds of calamities were going to take place. Well, 1988, that was only just a few years after we had all the interest in the ice age. There was a coming ice age that was published in some of the major national publications, and it was inevitable that the Earth was going to cool and we'd have to get ready for the glaciers to creep down from the north and push us off our cornfields, and Iowans were going to have to migrate to South Texas in order to avoid this. And that was 1970 and some of those years. And it's a fact that at least one and probably more than one of those scientists that were certain that we were going to undergo this ice age are now on the side of the argument that the Earth is going to get warmer, and it's going to get warmer fast—perhaps as much as 4 degrees centigrade over 100 years—and that anything that's a weather anomaly is going to be the result of global warming.

If you remember, a couple of years ago we had quite a few hurricanes, the result of global warming. A year ago hurricanes were way off, a result of global warming. Everything is a result of climate change, whether it's more rain or less rain or whether it's warmer temperatures or cooler temperatures.

So I guess if you have a nice utility to blame it on, climate change blames everything on that's an anomaly. And you aren't going to have to be around when science actually evaluates the predictions that you make because none of us are going to live beyond 100 years. So if it doesn't get to be a 4-degree centigrade increase in the Earth's temperature 100 years from now, nobody is going to point at Dr. Jim Hanson and say, You're wrong, Doc, or to Al Gore and say, You're wrong, because they will be at the same place I will be at that point.

□ 2200

And so it is a handy little excuse to just shift it off on to climate change and then ask for this great growth in government.

Now, we had a meteorologist speak to the Conservative Opportunity Society a week ago last Wednesday morning, Dr. Roy Spencer. He is a NASA scientist. He is the one that is managing the satellite collection data that collects the Earth's temperatures from satellites. He has 25 years of data. And as he talked about this, and this was a fairly quick once-through so it wasn't like a semester course, but as he talked about this data, he explained to us that the climate change models that they are using to predict global warming, they have to have assumptions.

I asked the question, why is it that physicists tend to buy into the global warming argument more so than meteorologists do? He said, well, it is logical, because meteorologists understand the ambiguities. They are trying to predict the weather for tomorrow. The climate czar, he can't predict the weather for tomorrow, but they are predicting the temperature 100 years from now.

So, I posed the question, I have a son that is going to have an outdoor wedding in August and I would like to know what the weather is that day. Of course, the climate czar is not going to tell me. We can find out in a couple of months whether he is right or wrong. One hundred years from now he will make a prediction, but he won't tell you what it is going to be like next week. But the presumptions that are there, meteorologists understand the vagaries of predicting the weather even tomorrow, let alone 100 years from now.

Physicists have studied the exact sciences, so when they put together a climate change model, a computer calculation that brings in a lot of factors, there always has to be assumptions. The assumptions are plugged in by the meteorologists, and the numbers are calculated by the physicists and the other exact science people. They have great confidence in their numbers. They understand the interrelationships of the factors that they put on their calculations, but it is still based on assumptions.

And the assumptions fall down to this. They assume that greenhouse gasses emitted by industry in the world, a lot of it from the United States, bring about more clouds in our atmosphere. Now, I can't quite explain why that is, but they believe that is. So if it is more clouds in the atmosphere, that is one assumption.

The second assumption is more clouds make the Earth warmer. Now, that seems like an odd assumption to me, and they have been telling me this for years, and it never made sense to me.

Dr. Spencer explains it the other way. He says, no, his data shows that more clouds bring about a cooler Earth, and they have 25 years of satellite data that shows that. And that is what makes sense to me. If a cloud blocks out the sun, the Earth is not going to be as warm, and if the cloud goes away and the sun shines on the Earth, it absorbs the radiation from the sun and the Earth gets warmer. That is the simple part of this.

So if their assumptions are CO_2 gas primarily in the atmosphere increases clouds and more clouds warm the Earth, then you get one result, the Earth gets 4 degrees centigrade warmer in 100 years, or some variation of that.

If you turn around and use the data and you back-feed Dr. Spencer's data into the model, then it turns this argument around on its head. But even then Dr. Spencer is very conservative and careful. He thinks maybe that data shows not a 4-degree centigrade increase, but more about half-a-degree centigrade increase, and the argument can be made that the Earth will get cooler. Plus the data we have shows that the world has gotten actually marginally cooler or else the temperature has been flat since 2002.

Dr. Spencer argues or informs us that another 10 years this kind of data and it is going to be really hard for the alarmists to be able to make the argument that we are faced with this global warming that is only revokable if we follow their model.

So I look at that science and I understand Dr. Spencer's presentation. I do not understand Dr. Hansen's or Al Gore's presentation. It does not make sense to me with the science I have in my background.

So I simply asked the question, Madam Speaker, the foundational question: What are we trying to do here and with what? That would be the logical thing to ask.

So the first thing is, how big is our atmosphere? Well, our atmosphere happens to be, and they measure this in metric tons, it is 5.150 quadrillion metric tons of atmosphere. That is the force of all the air on the planet pushing down on gravity. So that is just a lot. That is a lot of air in our atmosphere.

Then, so what is the cumulative total of all of the CO_2 that has gone into the atmosphere emitted by the United States of America since the dawn of the industrial revolution? About 45 percent of it goes into sinks, which means it disappears and they don't know where it went; 55 percent hangs out in

the air and is accumulated. And that number sounds big, but not compared to our overall atmosphere.

So let's put this in a perspective. It works like this. If you draw a circle that represented the size the atmosphere of the Earth and have that be an 8-foot circle, so roughly the size of the wall in your house, two 4-by-8 sheets of drywall, and draw a circle around that big in diameter, that would represent all the Earth's atmosphere.

Then draw a circle in the middle of that to demonstrate the volume of the CO_2 that has accumulated in the Earth's atmosphere since the dawn of the Industrial Revolution emitted by the United States. Your 8-foot circle is the atmosphere. In the center of that you would draw a circle that is .56 inch in diameter, just a little over half an inch in diameter, the end of my little finger. That is all the bigger the circle would be that would be the cumulative total of all the CO_2 the U.S. has emitted that is in the atmosphere today.

And we are talking with Waxman-Markey about, well, that is 205 years of accumulation. So we want to take 1/205th of that and reduce that down by 20 percent a year for a little while, and then by 40, then by 60, then by 83 percent. With that tiny little bit in that 8 foot circle, we are going to set the Earth's thermostat and control the Earth's temperature?

What utter vanity to think in that tiny little bit, and we can adjust that tiny little half inch bit in an 8-foot circle only by a little bit, and we are going to change the whole temperature of all the atmosphere in the Earth, in spite of looking at these climate changes that we have always had over time. We have ice ages and warming periods and sunspots and more solar activity on the sun, and sometimes you will see the Earth cool because a volcano will erupt and cloud the Earth.

Why would we think that more clouds in the atmosphere would warm the Earth when more clouds in the atmosphere from a volcano cools the Earth?

Each of these questions are logical questions for third, fourth, fifth, sixth, seventh and eighth graders to ask, and even at that level we are not getting answers from the people that advocate this.

It is as ''if'' they had to create a convoluted science and back-figure it back to be able to justify their idea that they want to do this cap-and-tax model, and the cap-and-tax model is a large taxation scheme that for every $5 collected puts $1 in the Treasury and wastes the other 4.

I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for his description of just exactly what is going on. Just as you were saying, it came to mind some of the things that just in my lifetime I can remember.

If you study history, you learn when we put in the Panama Canal we had a horrible, horrible situation when we built the Panama Canal because of malaria and yellow fever that were insect-bearing diseases. We invented DDT, and we used DDT to hold down those bug populations, and by that we were able to build the Panama Canal.

As a child growing up in Houston, Texas, without air conditioning, the DDT truck went by every Friday night and sprayed the whole neighborhood. And yet a lady wrote a book called Silent Spring. She said that all the research shows—I hate it when people say ''all the research shows''—all the research shows if we continue to use DDT, we will have no insect life on Earth and the birds will die and we will have a silent spring. When spring comes, the birds won't be singing, the crickets won't be cricketing, and they will go away.

And being loyal, progressive believers, we launched a campaign to get rid of DDT, and we got rid of it. It has been gone. But we now have one of the—we actually give millions, maybe even billions now, of dollars from this Congress to fight malaria. Something that was almost eradicated when I was a kid is now a major worldwide problem because we did away with DDT. And, guess what? Now the research, the real, present-day, 21st century research, says everything they said about DDT is just not true.

□ 2210

It was made up. And now, we're even finding out the lady knew she made it up. But she just didn't like DDT.

Now, you talked about global cooling. I can remember global cooling. I can remember people talking about why it was going to cool down. We were going to all be in the ice age. We were going to blame the Russians. It was going to be the Russians fault, okay? All this stuff. And we had to build big industries around global cooling.

You know, we told our people, you better quit propagating, because you're going to run out of space on this Earth. By the 21st century it will be standing room only on the Earth, unless you limit the number of children you have. And being good, college-educated progressives, we launched out to reduce the amount of children we had. And we did it with birth control. And later we did it with that horrid invention, abortion. But we limited our birth control, and our Western European friends limited their birth control. We still replace ourselves. Well, I think 2.1 children to the family. But I believe the Europeans now, some of the countries over there are like 1.2. And I think some of the best countries over there are 1.8, so they're not even replacing their families with the number of children that they're having.

And then we wonder why 12 million people cross the Texas and Canadian border to come into the United States to fill jobs, because we don't have enough people to fill these jobs. And we wonder why that is.

And, hey, Europeans have got the same problem and they've had that problem—I can recall they had the problem in 1956. The Germans were importing Turks into Germany because they didn't have enough population.

Now, when you buy into a program, as you point out, down the road, if they're not telling you the truth, it has major consequences. And when you made that 10-year comment, at the present rate this Congress is going, 10 years from now, we may find ourselves sitting around trying to watch television by candle light, okay? Because we're using batteries for our television sets. Because, quite frankly, we are in the process of trying to tax our energy industry out of business, every form or fashion that has any kind of carbon connected. So 10 years from now we could have, we could be a Third World country and wonder why.

That's why this science is so very important. That's why knee jerk reaction, overreacting to things, which the government is famous for, I don't care if it's knee jerk conservatives or knee jerk liberals, any time you get in a hurry, bad things happen. And if you study the history of legislation in this country, it is absolutely true, and nobody will dispute it. You can look at slavery, you can look at the labor laws, you can look at the environmental laws, you can look at anything and see where knee jerk reaction and quick—that's why we have a Senate to slow things down because our Founding Fathers knew that knee jerk reaction created bad legislation. Well, we're about to knee jerk ourselves into the poor house if we're not careful.

I yield back.

Mr. KING of Iowa. I thank the gentleman from Texas. Watching this climate change argument unfold, and I think about this country that we are, the most successful Nation in the history of the world, strongest economic in the world, by far, strongest militarily. Our culture penetrates the rest of the world. We're kind of American-centric because we are self-sustaining for a lot of those reasons, militarily, economically, food, for example, and also culturally; and so we don't as often look at the United States from outside.

But I wonder what it must look like for, let's just say, Socrates, looking out across this country today. 3,000 years ago they sat around and in places like Athens, Socrates, Plato, Aristotle, and they carried on these conversations and they shaped the Age of Reason, the Age of Reason, which was the foundation for science and technology, the theorem, the hypotheses, and they built it into their culture to be proud of being able to rationalize, both deductive reasoning and inductive reasoning. And that rationale, and even though they didn't get their elements right, what did they have? Earth, wind and fire and maybe some other elements like that they used to argue with. They didn't have the tables to be able to put the atoms together and figure out the molecule, but they had a

good rationale. The Age of Reason in Greece is the foundation of Western Civilization, and they took great pride in being able to think rationally.

And if they would transpose themselves, fast forward through history, 3,000 years, race through the Age of Enlightenment in Western Europe and primarily in France, and the dawn of the Industrial Revolution here, and how technology has flourished, and we've gone from an industrial economy to an information economy, and see all the things that we've developed from a technological standpoint, but yet, if they could look inside this Chamber and see where decisions are made in a civilized country today, and see how they're made, I think they'd be astonished that we have suspended the reason that they so carefully developed 3,000 years ago.

And now, we legislate by anecdote. We legislate by somebody's emotions, rather than legislate by empirical data. And Judge CARTER's mentioned a few of those. Pulled DDT off the marketplace, and then watch what's happened with millions that died because of the malaria that came back during that period of time.

My mother read ''Silent Spring'' by Rachel Carson, and our lawn thereafter had to be full of dandelions, thistles, plant and leaf clover and African violets, but not much blue grass because we couldn't spray that anymore because it was going to kill the birds. Mom knew, though, the names of all of birds and what their songs were, and we had a lot of birds around. We'd have had them anyway without the weeds.

And the alar scare comes to mind as well, Madam Speaker, the apple issue that took a lot of apple producers out of business because there was the allegation that the spray they used on them that kept the apples looking good and staying fresh was somehow dangerous. I think a carcinogen.

These are scientific Malthusians. They are just simply always another calamity around the corner. They threaten, they scare people off the safety of our food. They tell us that the planet can only sustain about so many people. And these are the people that have determined that they're going to shut down, as Judge CARTER said, our energy production in this country. And we spent last August pounding away every day here on the floor of the House of Representatives, calling for an energy plan that opened up all of the above, all of the energy that we have. We're an energy-rich Nation, not an energy-poor Nation. We just do a poor job of managing the energy that we have.

And to give an example about how easy it should be to take this Nation to the next level of our economic determinism, if we just look over to countries like Japan and Korea, in the last 60 years or a little more, both of those nations, or at least their major cities, were destroyed in war. They've rebuilt their cities, transportation, telecommunications, the infrastructure that's there. They are modern, they're crisp, they're sharp, they work, they function. And yet in that 60 or so years, each of those countries have imported almost 100 percent of their energy and 60 percent of their food, and they still build modern technological societies.

And we are here in the United States of America, with a surplus of food, and the energy that we need, if we just manage it; and we can't discipline ourselves to utilize our own resources.

And we have a Speaker of the House who's trying to ''save the planet.'' And please put that in quotes. Shut down energy production in America.

There are only about two or three kinds of energy that they would accept more of. One is wind, the other was solar, and the next one may be geothermal if you didn't have to use a drill rig to get it.

And by the way, wind is okay as long as you don't have to see it off of Nantucket. TEDDY KENNEDY's offended by looking at wind mills. And so we can only put them in places where some of the liberals aren't going to have to look at them. By the way, I can see 39 of them from my yard. And so that's all right.

But we need all of the above, and there is no way to meet this model on energy demand for this country, especially with electricity, under WAXMAN-MARKEY's bill. This has already, the intimidation effect and the existing regulations, have shut down any new coal-fired generation plants in America.

□ 2220

Now, we do have a nuclear generating plant that's under construction down in South Carolina. This plant is scheduled to come online in the year 2017. If my recollection is right, they've been working on it for 2 or more years by now, and in 2017, it will come on line. This is a beta model. This is the model of nuclear generating plants. The engineering is not a problem. It's how do you jump through all of the regulatory hoops to get there? If they can get that done, then presumably it will be the cookie cutter so we can build more, yet not under the Obama administration.

The Obama administration goes over and says to Ahmadinejad—I haven't heard him say ''congratulations'' yet for his election victory, but maybe that came out today. They're relatively silent on those results. It was, Well, we can't tell a sovereign nation that they can't develop nuclear power. The United States can't do that. He essentially said to Iranians, You have the right to develop a nuclear capability even if you do announce to the world that you want to use it to annihilate Israel.

So, according to President Obama, Iran has a right to nuclear, but Americans don't. We can't build a nuclear power plant here to make up for the gap that's created by the regulatory constrictions that are coming out of the Left today in this energy plan. Those of us who produce energy from coal, for example, are punished States. Those States that do not are those that are recipients. If they put this on cap-and-trade, cap-and-tax, you will see a massive corruption bill within the United States as they trade the carbon credits.

To give you an example of what goes on, when Speaker PELOSI received the gavel here in 2007, she decided that the Capitol complex, which we stand in the middle of right now, should be a greenhouse gas-emitting neutral facility, so she ordered that the power plant that feeds this Capitol complex, which is fired by coal and natural gas and oil, be converted from coal to natural gas. It doubled the cost of our power to come into this Capitol, but we still found out that her carbon footprint—I say hers, I wasn't calculating it as mine—of this Capitol complex was still too great. So Speaker PELOSI went on the board in Chicago, and she bought some carbon credits: $89,000 of our taxpayer dollars paid by carbon credits that were going to offset the carbon emissions here in this Capitol complex. That's designed to cause somebody to do something more to sequester this carbon that is going into the atmosphere from the natural gas that's feeding the power in the Capitol.

So I thought I'd chase that $89,000 down and figure out where it went. Well, some of that money went to no-till farmers in North Dakota, to Farmers Union farmers, I believe, to people who had been no-till farmers for some time, I believe, to people whose behavior didn't change. So I don't think they went out and sequestered any more carbon. I think they just kept doing what they were doing, and they got a reward from the Speaker's checkbook—from our checkbook—for what they were doing.

By the way, when you no-till, you can sequester some carbon, but if you turn around and till, that carbon is released into the atmosphere anyway, and the net gain is almost zero. So, as long as you keep up the practice of no-till and it's a plus, then that's your measure for good atmosphere.

It didn't all go to the no-till farmers in North Dakota. Some of it went to a coal-fired generating plant in Chillicothe, Iowa. So I went there, and took a look at this coal-fired generating plant. What I saw was a good, well-run plant. Emissions were, I think, pretty good and were fairly modern, but they had received a government grant to set up an operation to be able to burn switchgrass and blend the switchgrass in with the coal at, I think it was, a 10 percent rate to be able to supplement the coal they were burning because switchgrass is carbon neutral. It sequesters it each year, and you burn it each year. Of course, coal is not.

Well, I went in there, and they had two big sheds. They still had a lot of big, round bales—about 1,500-pound

bales of switchgrass. They were stacked in those sheds. There was a big hammer mill and a conveyor and a blower system to inject that all in and blend it with the coal. The place wasn't running, and it hadn't run in a while. I could tell by looking at the hay that it was old.

I asked: So how long has it been since you've burned any of the switchgrass here?

Well, about 2 years. We ran our experiment. Then we shut the experiment down.

So, first, they didn't have data for me for what they might have learned. The experiment hasn't yet yielded a result that we can utilize unless, maybe, they know and they haven't told us.

The second thing is that this money that went to them for sequestering the carbon to give an incentive to burn switchgrass didn't change anybody's behavior. They weren't going to burn any more or any less switchgrass because they got a check from the Speaker of the House. In fact, they had shut down their switchgrass burning 2 years earlier, and this was just a check that went into the treasury of the people who had burned some switchgrass, but we didn't learn anything from it yet.

Now, if that's the thing that's going to go on with cap-and-tax, cap-and-trade and Waxman-Markey, if the Speaker of the House can't get the transaction to work when you go out and buy carbon credits, how in the world are we going to do hundreds of billions of dollars of carbon credits on a massive scale and have any kind of accountability to see whether it actually brings about anything that might sequester more carbon and cause somebody to act in a more favorable way?

I think it is a bureaucratic impossibility, but we can learn from the Spaniards. The Spaniards did this experiment. The Sicilian Mafia came in to manage it because they were the best at it. They were the ones who were brokering the permits to put up the wind chargers, and they were deciding who were going to be the contractors and subcontractors who built them. They decided who would be the suppliers of the materials that went into the wind chargers. So they got all wrapped up with the Sicilian Mafia.

By the way, with the political favors that were being handed out, the permits would be controlled by politicians in the end. Politicians were influenced by political contributions that came from the profits that were being extracted out of the construction and out of the operations of these wind chargers by the Sicilian Mafia, and it made a huge mess out of it all.

I mentioned in the previous hour that, for every green job they created, it cost 2.2 private-sector jobs because it sucked that much capital out of the economy, out of the private-sector economy. The cost per green job was $770,000. The unemployment rate in Spain is the highest in the industrialized world—17.5 percent unemployed. The largest industries in Spain have left, and the ones that are left are looking at leaving. The electrical bills for the residents have gone up 20 percent, and the electrical bills for industry have gone up 100 percent in 3 years.

They hit the threshold where they couldn't demand any more for the electricity they were generating. They had raised the cost of the electricity that much. So they went out on the market to bond that, and they pledged the full faith and credit of their grandchildren—the Spanish Government: We'll pay the bills later, but we can't pay our electric bills today because the price is too high. This is an example.

President Obama has said we should learn from the Spanish. I agree. We should learn from the Spanish, but the lesson that I get from them is that it's a huge boondoggle that's full of corruption.

I asked them: Why don't you repeal it? Their answer was: We can't because so many people who are so influential and powerful are making a profit from it and are tied up in it. We would have to demand that our politicians would confess that they'd made a huge mistake 8 or 9 or 10 years ago.

Well, a lot of them are still there, and they can't make that confession because they'll lose their jobs.

So, once you get started into this, if we pass the cap-and-tax by Waxman-Markey—I'll tell you, at this point, the decisions made by this administration in this term, I believe, are reversible and are revokable by a Congress and a President who have cooler heads and a saner approach to economics. Yet, if we pass the Waxman-Markey cap-and-tax, that becomes an almost irreversible policy because then you'll have so many people who will be profiting and who will be benefiting from the trading of these things that don't have any value in a real economy. There are so many political dollars that get infused into this process that you simply can't repeal it. That's my concern. That's my fear. I believe that Waxman-Markey is an irreversible policy.

So I'm here, speaking against it for two big reasons: One is they're wrong on the science. I'm happy to debate them. The other reason is they're really, really wrong on the economics.

When you have the Secretary of Agriculture who testifies before the Ag Committee that somehow he believes that increasing the costs to agriculture will result in more profits for agriculture because the innovative nature of American agriculture will overcome the handicaps that government is putting on them, that is an irrational degree of optimism to be stated by a Secretary of Agriculture who finds himself at odds with Democrats and Republicans on the Ag Committee in that hearing and in disagreement with it.

There is no economic model that I know of throughout the history of the free market system that would dictate or that would show a result where, if you increased the cost to a business—to any business or to a sector of the business world—that you would see profits go up. They would go down.

□ 2230

And this Waxman-Markey legislation increases the cost to, especially, our energy users. Those who are the most energy intensive, the highest energy-using industries in America will get the highest increases in their costs.

So let's just say that you're in the business of converting iron ore to iron and steel. Let's just say that you are in the business of converting natural gas to plastics or any other high energy-intensive operation, or let's just say you're a farmer and you use a lot of diesel fuel and you're looking at 88 cents a gallon added on to it by Waxman-Markey. All of these industries will see their costs go up. If you're generating electricity from burning coal, natural gas, fuel oil, for example, you'll see the cost of that electricity go up.

An MIT professor did a study and calculated the overall dollars increased by Waxman-Markey, or a policy very close to that, and we simply divided the number of households into it, and the bottom line came out to be this: Increased annual average household costs for energy, $3,128 a year from Waxman-Markey's cap-and-tax bill. And as I said briefly earlier, for every $5 collected by this cap-and-tax bill, only $1 gets into the Treasury of the Federal Government. And the balance of that is consumed in the inefficiencies that are created.

This is the most insidious, complicated tax. It's a tax on everything we do because energy is required in everything that we do. It will tax every gallon of gas, every gallon of diesel fuel, every kilowatt of electricity. It will tax every cup of coffee, every pair of shoes, every piece of paper, every flower on Mother's Day, and every 2 by 4 that goes into your house.

And it transfers, Madam Speaker, America's industry, America's energy-intensive industry off to other countries in the world like India and China who have pledged not to participate in a cap-and-tax plan because they say that this is their century to become industrialized nations. The last century or two were our centuries to be industrialized. They say this is theirs.

They're building, between India and China, one new coal-fired generating plant a week belching smoke into the atmosphere. And these coal-fired generating plants do not meet the emission standards of American coal-fired generated plants. So for each time that we push industry out of the United States, we're pushing up coal-fired generating plants in India and in China. And if you're concerned about the atmosphere, this is creating a negative effect on our atmosphere as well.

But I'm concerned about the penalty to America's industry, to America's businesses adding costs to everyone burdening each one of these households

and thinking somehow we can overcome that burden on our economy and prosper. It is wrong thinking; it is wrong-headed. They're wrong on the science, Madam Speaker, and they're really, really wrong on the economics.

And so as this debate unfolds here on the floor of the House and throughout the committees and subcommittees and through the media and through the living rooms of Americans, the American people need to understand and remember that if they can't make the case on the science, there is no sense of talking about the economics, because it falls on its face not having the science to underpin the argument.

Even if they could make the case on the science—and they haven't and can't. And 31,000 scientists have signed a petition saying they can't support the conclusions of these climate change models, and we're getting more and more that will step forward and say, I can't take you there, I can't be with you. And these are topnotch experts: meteorologists, physicists, people that really understand these issues in a scientific way. More of them are peeling off and walking away from this and saying Al Gore is wrong.

But even if they were right, even if one stipulated that—and I don't for a minute—but if one stipulated that the global warming models were right, the economic calamity that comes from adding to the cost of all of America's business is intolerable. And the burden that it shifts onto future generations and what it does to our economy, our culture, and our civilization are intolerable, Madam Speaker. And so let them make the case.

Once as Muhammad Ali said after he fought Joe Frazier to a tie in 15 rounds was this: Well, you tied. How come you're still the world champ? Ali said, You got to whoop the champ.

Well, the champ is free enterprise. The champ is sound science. The champ is empirical data. The champ is the history of the United States succeeding by believing we can achieve and by making logical conclusions with the science we have and the economics we have. And by the way, it's free enterprise and it's not nationalization.

And let's add an extra czar or two to this list of 22. Let's do the denationalization czar and the exit-strategy czar. Put those two people together, and maybe they can get to work to eliminate all of the rest of these czars and get us back to sense, Madam Speaker.

And with that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DONNELLY of Indiana (at the request of Mr. HOYER) for today on account of travel delays.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. HOYER) for today.

Ms. KILROY (at the request of Mr. HOYER) for today on account of flight was cancelled.

Ms. WATERS (at the request of Mr. HOYER) for today on account of personal reasons.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today and June 16 on account of illness in the family.

Mr. BONNER (at the request of Mr. BOEHNER) for today on account of attending events with Alabama's Governor and other elected leaders to recruit significant economic development projects for the First District and Alabama.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ALTMIRE) to revise and extend their remarks and include extraneous material:)

Mr. SPRATT, for 5 minutes, today.

Mr. ALTMIRE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. INGLIS, for 5 minutes, today.

Mr. OLSON, for 5 minutes, June 18.

Mr. AKIN, for 5 minutes, today and June 18.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1256. An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 16, 2009, at 10:30 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2142. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Residues of Silver in Foods from Food Contact Surface Sanitizing Solutions; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0395; FRL-8412-1] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2143. 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; Indiana [EPA-R05-OAR-2006-0004; FRL-8900-5] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2144. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; City Of Memphis, Tennessee; Control of Emissions from Existing Hospital/Medical/Infections Waste Incinerators [EPA-R04-OAR-2008-0159(b); FRL-8912-9] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2145. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Davidson, Knox, and Memphis-Shelby Counties, Tennessee [EPA-RO4-OAR-2008-0161; FRL-8912-3] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2146. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of Tennessee and Commonwealth of Kentucky [EPA-R04-OAR-2008-0160; FRL-8912-4] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2147. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Jefferson County, Kentucky; and Forsyth County, North Carolina; and Knox and Davidson Counties, Tennessee [EPA-R04-OAR-2008-0158; FRL-8912-5] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2148. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Georgia: State Implementation Plan Revision [EPA-R04-OAR-2008-0831-200825(a); FRL-8915-7] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2149. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Hawaii [EPA-R09-OAR-2009-0323; FRL-8915-8] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2150. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for California [OAR-2004-0091; FRL-8912-7] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2151. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and South Coast Air Quality Management District [EPA-R09-OAR-2009-0142; FRL-8902-1] received June 5, 2009, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Energy and Commerce.

2152. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District, Placer County Air Pollution Control District [EPA-R09-OAR-2009-0230; FRL-8900-8] received June 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2153. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles to Australia and Spain (Transmittal No. DDTC 041-09), pursuant to 22 U.S.C. 39, 36(c); to the Committee on Foreign Affairs.

2154. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles to Greece and Qatar (Transmittal No. DDTC 004-09), pursuant to 22 U.S.C. 39, 36(c); to the Committee on Foreign Affairs.

2155. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles to Qatar (Transmittal No. DDTC 004-09), pursuant to 22 U.S.C. 39, 36(c); to the Committee on Foreign Affairs.

2156. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the export of technical data, defense services, and defense articles to Canada (Transmittal No. DDTC 042-09), pursuant to 22 U.S.C. 39, 36(c); to the Committee on Foreign Affairs.

2157. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement fot the export of technical data, defense services, and defense articles to Japan (Transmittal No. DDTC 043-09), pursuant to 22 U.S.C. 39, section 36(c); to the Committee on Foreign Affairs.

2158. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

2159. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

2160. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

2161. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting a report pursuant to the Anti-Economic Discrimination Act of 1994, part C of Title V, Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, as amended by Pub. L. 103-236; to the Committee on Foreign Affairs.

2162. A letter from the Acting Assoc. Gen. Counsel for General Law, DHS Office of General Counsel, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2163. A letter from the Acting Chief Human Capital Officer, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2164. A letter from the Acting Chief Human Capital Officer, Department of Energy, Office of Assistant Secretary for Environmental Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2165. A letter from the Acting Chief Human Capital Officer, Department of Energy, Office of Policy and International Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2166. A letter from the Acting Chief Human Capital Officer, Department of Energy, Office of the General Counsel, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2167. A letter from the Acting Chief Human Capital Officer, Department of Energy, Under Secretary for Science, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2168. A letter from the Acting Chief Human Capital Officer, Department of Energy, Under Secretary of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2169. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2170. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2171. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2172. A letter from the Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2173. A letter from the Acting Assoc. Gen. Counsel for General Law, FEMA, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2174. A letter from the Acting Assoc. Gen. Counsel for General Law, FEMA National Preparedness Directorate, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2175. A letter from the General Counsel & Senior Policy Advisor, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2176. A letter from the General Counsel & Senior Policy Advisor, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2177. A letter from the General Counsel & Senior Policy Advisor, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2178. A letter from the General Counsel & Senior Policy Advisor, Office of Management and Budget, Office of Information and Regulatory Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2179. A letter from the Acting Assoc. Gen. Counsel for General Law, U.S. Immigration and Customs Enforcement (ICE), transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2180. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-400, AT-400A, AT-402, AT-402A, AT-402B, AT-502, AT-502A, AT-502B, AT-503A, AT-602, AT-802, and AT-802A Airplanes [Docket No.: FAA-2009-0473; Directorate Identifier 2009-CE-027-AD; Amendment 39-15915; AD 2009-11-05] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2181. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320 and A321 Series Airplanes [Docket No.: FAA-2009-0360; Directorate Identifier 2009-NM-039-AD; Amendment 39-15887; AD 2009-09-01] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2182. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No.: FAA-2009-0361; Directorate Identifier 2009-NM-046-AD; Amendment 39-15888; AD 2009-09-02] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2183. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation (RRC) AE 3007A Series Turbofan Engines [Docket No.: FAA-2008-0975; Directorate Identifier 2008-NE-29-AD; Amendment 39-15905; AD 2009-08-51] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2184. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Models PW2037, PW2037(M), and PW2040 Turbofan Engines [Docket No.: FAA-2008-1131; Directorate Identifier 2008-NE-37-AD; Amendment 39-15903; AD 2009-10-08] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2185. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes [Docket No.: FAA-2009-0448; Directorate Identifier 2009-NM-052-AD; Amendment 39-15906; AD 2009-10-10] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2186. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney (PW) JT9D-7R4

Series Turbofan Engines; Correction [Docket No.: FAA-2006-23742; Directorate Identifier 2005-NE-53-AD; Amendment 39-15896; AD 2009-10-01] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2187. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Model CFM56 Turbofan Engines [Docket No.: FAA-2008-1245; Directorate Identifier 2008-NE-27-AD; Amendment 39-15912; AD 2009-11-02] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2188. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aerosystems Model 340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No.: FAA-2009-0035; Directorate Identifier 2008-NM-096-AD; Amendment 39-15909; AD 2009-10-13](RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2189. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Model 382, 382B, 382E, 382F, and 382G Series Airplanes [Docket No.: FAA-2009-0462; Directorate Identifier 2009-NM-063-AD; Amendment 39-15913; AD 2009-11-03] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2190. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hartzell Propeller Inc. Steel Hub Turbine Propellers [Docket No.: FAA-2009-0114; Directorate Identifier 2009-NE-03-AD; Amendment 39-15910; AD 2009-10-14] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2191. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No.: FAA-2009-0450; Directorate Identifier 2008-NM-182-AD; Amendment 39-15908; AD 2009-10-12] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2192. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-300, A340-200, and A340-300 Series Airplanes [Docket No.: FAA-2009-0449; Directorate Identifier 2008-NM-034-AD; Amendment 39-15907; AD 2009-10-11] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2193. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-400, AT-400A, AT-402, AT-402A, AT-402B, AT-502, AT-502A, AT-502B, AT-503A, AT-602, AT-802, and AT-802A Airplanes [Docket No.: FAA-2009-0473; Directorate Identifier 2009-CE-027-AD; Amendment 39-15915; AD 2009-11-05] (RIN: 2120-AA64) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2194. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting a report concerning the extension of waiver authority for Turkmenistan, pursuant to Public Law 93-618, Subsection 402(d)(1) and 409; (H. Doc. No. 111—49); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. H.R. 2765. A bill to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgements and certain foreign judgments against the providers of interactive computer services (Rept. 111–154). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCURI: Committee on Rules. House Resolution 544. Resolution providing for consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–155). Referred to the House Calendar.

Ms. SLAUGHTER: Committee on Rules. House Resolution 545. Resolution providing for consideration of the conference report to accompany the bill (H.R. 2346) making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes (Rept. 111–156). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY of Massachusetts (for himself, Mr. STEARNS, Mr. BERRY, Mr. BOUSTANY, Ms. GINNY BROWN-WAITE of Florida, Mr. COHEN, Mr. CONAWAY, Ms. DEGETTE, Ms. DELAURO, Mr. DICKS, Mr. DOYLE, Mr. GORDON of Tennessee, Mr. GENE GREEN of Texas, Ms. JENKINS, Mr. KING of New York, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. MEEK of Florida, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. OLVER, Mr. PAUL, Mr. ROGERS of Alabama, Mr. ROSS, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. STARK, Mr. WAXMAN, Mr. WEXLER, and Mr. WHITFIELD):

H.R. 2866. A bill to provide for a disregard under the Supplemental Security Income program of compensation for participation in clinical trials for rare diseases or conditions; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself, Mr. SESTAK, Mr. FILNER, and Mr. HARE):

H.R. 2867. A bill to ensure access to basic broadcast television after the Digital Television Transition, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi (for himself, Mr. WAXMAN, Ms. JACKSON-LEE of Texas, Mr. MARKEY of Massachusetts, Ms. CLARKE, and Mr. PASCRELL):

H.R. 2868. A bill to amend the Homeland Security Act of 2002 to extend, modify, and recodify the authority of the Secretary of Homeland Security to enhance security and protect against acts of terrorism against chemical facilities, and for other purposes; to the Committee on Homeland Security, 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. DEFAZIO (for himself and Mr. WELCH):

H.R. 2869. A bill to require the Commodity Futures Trading Commission to take certain actions to prevent the manipulation of energy markets, and for other purposes; to the Committee on Agriculture.

By Mr. LIPINSKI:

H.R. 2870. A bill to standardize and clarify the dimensions of carry-on baggage and personal items on air carriers; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 2871. A bill to amend title 18, United States Code, to provide for punishment for killing a member of the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. DAVIS of Alabama (for himself, Ms. KILROY, and Mr. ISRAEL):

H.R. 2872. A bill to improve the quality and cost effectiveness of cancer care to Medicare beneficiaries by establishing a national demonstration project; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:

H.R. 2873. A bill to provide enhanced enforcement authority to the Securities and Exchange Commission; to the Committee on Financial Services.

By Mr. CONNOLLY of Virginia:

H.R. 2874. A bill to amend the Servicemembers Civil Relief Act to improve the equitable relief available for servicemembers called to active duty, and for other purposes; to the Committee on Veterans' Affairs, 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. CONAWAY (for himself, Mr. BOEHNER, Mr. CANTOR, Mr. WILSON of South Carolina, Mr. SHUSTER, Mr. ROONEY, Mr. MILLER of Florida, Ms. GRANGER, Mr. MCKEON, Mr. PENCE, Mr. WITTMAN, Mr. HUNTER, Mr. AKIN, Mr. KLINE of Minnesota, Mr. FLEMING, Mr. BARTLETT, Mr. FORBES, Mr. LAMBORN, Mr. BISHOP of Utah, Mr. PLATTS, Mr. COFFMAN of Colorado, Ms. FALLIN, Mr. FRANKS of Arizona, Mr. BOOZMAN, Mr. LATTA, Mr. MCCAUL, Mr. PRICE of Georgia, Mr. SMITH of Texas, Mr. SAM JOHNSON of Texas, Mr. THORNBERRY, Mr. CARTER, Mr. GERLACH, Mr. BUYER, Mr. CAMPBELL, Mr. WAMP, Mr. WESTMORELAND, Mr. ROSKAM, Mr. MCHENRY, and Mr. SMITH of Nebraska):

H.R. 2875. A bill to provide that certain photographic records relating to the treatment of any individual engaged, captured, or detained after September 11, 2001, by the Armed Forces of the United States in operations outside the United States shall not be subject to disclosure under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Tennessee (for himself, Mr. DAVIS of Kentucky, Mr. FRANK of Massachusetts, Mr. HODES, Mr. BOREN, Mr. RODRIGUEZ, Mr. MASSA, Mr. DAVIS of Alabama, Mr. WILSON of Ohio, Mr. DAVIS of Illinois, Mr. HINOJOSA, Mr. FILNER, Mr. TONKO, Mr. BOSWELL, Ms. CORRINE BROWN of Florida, Mr. SHULER, Mr. BOUCHER, and Mr. HINCHEY):

H.R. 2876. A bill to establish a program to preserve rural multifamily housing assisted under the Housing Act of 1949; to the Committee on Financial Services.

By Mr. HALL of New York (for himself, Mr. RANGEL, Mr. MCHUGH, Ms. SLAUGHTER, Ms. VELÁZQUEZ, Mr. HINCHEY, Mrs. LOWEY, Mr. ENGEL, Mr. MURPHY of New York, Mr. ACKERMAN, Mr. ARCURI, Mr. BISHOP of New York, Ms. CLARKE, Mr. CROWLEY, Mr. HIGGINS, Mr. ISRAEL, Mr. KING of New York, Mr. LEE of New York, Mr. MAFFEI, Mrs. MALONEY, Mr. MASSA, Mrs. MCCARTHY of New York, Mr. MCMAHON, Mr. MEEKS of New York, Mr. NADLER of New York, Mr. SERRANO, Mr. TONKO, Mr. TOWNS, and Mr. WEINER):

H.R. 2877. A bill to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the ''1st Lieutenant Louis Allen Post Office''; to the Committee on Oversight and Government Reform.

By Mr. ISRAEL:

H.R. 2878. A bill to authorize microenterprise assistance for renewable energy projects in developing countries; to the Committee on Foreign Affairs.

By Mrs. KIRKPATRICK of Arizona (for herself and Mr. PERRIELLO):

H.R. 2879. A bill to amend title 38, United States Code, to improve health care for veterans who live in rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. PINGREE of Maine (for herself, Mr. SHULER, Mr. SCHRADER, Mr. HODES, and Mr. MICHAUD):

H.R. 2880. A bill to require the Secretary of Agriculture to establish a carbon incentives program to achieve supplemental greenhouse gas emissions reductions on private agricultural and forestland of the United States, and for other purposes; to the Committee on Agriculture, 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. ROGERS of Alabama (for himself, Mr. BACHUS, Mr. ADERHOLT, Mr. BONNER, Mr. GRIFFITH, Mr. BRIGHT, Mr. DAVIS of Alabama, Mr. GERLACH, Mrs. CHRISTENSEN, Mr. CARNEY, Mr. SMITH of New Jersey, and Mr. LANGEVIN):

H.R. 2881. A bill to amend titles II and XVIII of the Social Security Act to waive certain waiting periods for Social Security disability and Medicare benefits in the case of a terminally ill, disabled individual; 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. HASTINGS of Florida:

H. Con. Res. 154. Concurrent resolution expressing the sense of Congress that African-Americans and Jewish-Americans share common historical experiences and a commitment to a society free from hatred and violence; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself, Mr. FILNER, Mr. MEEKS of New York, Mr. BISHOP of Georgia, Ms. EDWARDS of Maryland, Mrs. MALONEY, Ms. JACKSON-LEE of Texas, Ms. RICHARDSON, Mr. CLAY, Mr. CUMMINGS, Ms. FUDGE, Ms. NORTON, Mr. CONYERS, Mr. COHEN, Mr. MASSA, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. RUPPERSBERGER, Mr. PIERLUISI, Mr. ELLISON, Mr. SNYDER, Mr. PASCRELL, Mr. FATTAH, Mr. TOWNS, Mr. PERRIELLO, Mr. PAYNE, Ms. BORDALLO, Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, Ms. LEE of California, Mr. BRADY of Pennsylvania, Mr. JOHNSON of Georgia, Ms. WOOLSEY, Mr. AL GREEN of Texas, Ms. WATERS, Mr. GRIJALVA, Mr. HARE, Mr. GONZALEZ, Mr. RAHALL, and Mr. BACA):

H. Res. 546. A resolution recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of the House of Representatives that history should be regarded as a means for understanding the past and more effectively facing the challenges of the future; to the Committee on Oversight and Government Reform.

By Mr. DRIEHAUS:

H. Res. 547. A resolution supporting the goals and ideals of ''National Internet Safety Month''; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

82. The SPEAKER presented a memorial of the State Senate of Michigan, relative to Senate Resolution No. 57 MEMORIALIZING THE UNITED STATES CONGRESS TO ENACT S. 1034, THE HEALTHY SCHOOLS ACT OF 2009, TO PROVIDE FUNDING FOR THE DEVELOPMENT AND OPERATION OF SCHOOL-BASED HEALTH CLINICS; to the Committee on Energy and Commerce.

83. Also, a memorial of the House of Representatives of Pennsylvania, relative to HOUSE RESOLUTION NO. 94 Urging the Congress of the United States and the Food and Drug Administration to encourage the use of reduced bisphenol-A in the manufacture of plastic food containers and bottles and to eliminate the importation, sale and advertising of polycarbonate baby bottles; to the Committee on Energy and Commerce.

84. Also, a memorial of the House of Representatives of Pennsylvania, relative to HOUSE RESOLUTION NO. 139 Memorializing Congress to conduct a full and complete investigation into all foreign and domestic factors affecting gasoline and diesel fuel prices in the United States; to the Committee on Energy and Commerce.

85. Also, a memorial of the State Senate of Idaho, relative to SENATE JOINT MEMORIAL NO. 101 urging the United States Congress to provide additional financial opportunities to fund medical residency programs to meet a growing and underfunded need; to the Committee on Energy and Commerce.

86. Also, a memorial of the Twenty-Fifth Legislature of Hawaii, relative to HOUSE CONCURRENT RESOLUTION NO. 303 SUPPORTING THE PEACE CORPS EXPANSION ACT OF 2009; to the Committee on Foreign Affairs.

87. Also, a memorial of the House of Representatives of Pennsylvania, relative to HOUSE RESOLUTION NO. 67 Urging the Congress of the United States to designate a day each year in honor of the lifetime achievements of the late Roberto Clemente; to the Committee on Oversight and Government Reform.

88. Also, a memorial of the Twenty-Fifth Legislature of Hawaii, relative to HOUSE CONCURRENT RESOLUTION NO. 56 S.D. 1 REQUESTING THE UNITED STATES CONGRESS TO PROTECT WILDLIFE AND WILDERNESS BY OPPOSING OIL AND GAS EXPLORATION AND DEVELOPMENT IN THE ARCTIC NATIONAL WILDLIFE REFUGE AND ON THE OUTER CONTINENTAL SHELF AND SUPPORTING CLEAN, RENEWABLE ENERGY ALTERNATIVES; to the Committee on Natural Resources.

89. Also, a memorial of the State Senate of Oregon, relative to Senate Joint Memorial 2 urging the Congress of the United States to enact legislation that creates a statewide transportation system in Oregon that would provide transportation for Oregon veterans, particularly disabled veterans, to and from medical facilities; to the Committee on Veterans' Affairs.

90. Also, a memorial of the State Senate of Oregon, relative to Senate Joint Memorial 12 urging the Congress of the United States to immediately introduce and pass legislation to implement a tax refund intercept program similar to that proposed in the 110th Congress (H.R. 6172 and S. 1287); to the Committee on Ways and Means.

91. Also, a memorial of the House of Representatives of Alaska, relative to House Resolve No. 9 Requesting the United States Congress to permanently repeal the federal unified gift and estate tax; to the Committee on Ways and Means.

92. Also, a memorial of the Twenty-Fifth Legislature of Hawaii, relative to HOUSE CONCURRENT RESOLUTION NO. 34 REQUESTING CONGRESS TO RAISE MEDICARE FEE SCHEDULE PAYMENT AMOUNTS FOR PHYSICIANS RENDERING SERVICES IN HAWAII; jointly to the Committees on Energy and Commerce and Ways and Means.

93. Also, a memorial of the Twenty-Fifth Legislature of Hawaii, relative to HOUSE CONCURRENT RESOLUTION NO. 158 STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; jointly to the Committees on Foreign Affairs and Energy and Commerce.

94. Also, a memorial of the Twenty-Fifth Legislature of Hawaii, relative to HOUSE CONCURRENT RESOLUTION NO. 46 S.D. 1 URGING CONGRESS TO PRESERVE FUNDING AND MAINTAIN PROGRAMS, LAWS, REGULATIONS, AND POLICIES THAT ASSIST VICTIMS OF DOMESTIC VIOLENCE; jointly to the Committees on the Judiciary and Education and Labor.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. FILNER.

H.R. 204: Mr. PALLONE, Mr. MCDERMOTT, and Mr. COHEN.

H.R. 205: Mr. FLEMING and Mr. COFFMAN of Colorado.

H.R. 272: Mr. AKIN and Mr. ELLSWORTH.

H.R. 275: Mr. MCMAHON, Mr. WEXLER, Mr. HENSARLING, and Ms. KOSMAS.

H.R. 327: Mr. FALEOMAVAEGA and Mr. HINOJOSA.

H.R. 422: Ms. FOXX and Ms. LINDA T. SÁNCHEZ of California.
H.R. 426: Mr. PAUL.
H.R. 442: Ms. GINNY BROWN-WAITE of Florida.
H.R. 467: Mr. BACA.
H.R. 502: Mr. PLATTS.
H.R. 503: Mr. CAO.
H.R. 517: Mr. GRAYSON.
H.R. 520: Mr. POLIS of Colorado.
H.R. 571: Mr. WEXLER, Mr. WHITFIELD, Mr. PASTOR of Arizona, and Mr. PETERS.
H.R. 574: Mr. REHBERG.
H.R. 578: Mr. MCDERMOTT.
H.R. 610: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 618: Ms. SCHWARTZ.
H.R. 635: Mr. GRAYSON.
H.R. 646: Mr. CUMMINGS and Mr. SERRANO.
H.R. 676: Mr. DICKS.
H.R. 699: Mr. CONNOLLY of Virginia.
H.R. 716: Mr. PRICE of North Carolina, Mr. DELAHUNT, Mr. HINCHEY, and Mr. PLATTS.
H.R. 780: Mr. REHBERG.
H.R. 958: Mr. ARCURI, Mr. ALTMIRE, Mr. KLEIN of Florida, and Mr. RYAN of Ohio.
H.R. 997: Mr. TURNER.
H.R. 1024: Mr. QUIGLEY and Ms. WATSON.
H.R. 1026: Mr. SHADEGG.
H.R. 1032: Mr. ELLSWORTH.
H.R. 1064: Mr. ENGEL and Mr. LATOURETTE.
H.R. 1074: Mr. BROUN of Georgia.
H.R. 1084: Mr. ELLSWORTH.
H.R. 1086: Mr. GARRETT of New Jersey.
H.R. 1101: Mr. MICHAUD.
H.R. 1173: Mr. KISSELL.
H.R. 1177: Mr. MCGOVERN.
H.R. 1189: Mr. LOBIONDO.
H.R. 1207: Mr. SMITH of New Jersey and Mr. SARBANES.
H.R. 1240: Ms. KOSMAS.
H.R. 1255: Mrs. BIGGERT and Mr. RUSH.
H.R. 1408: Mr. GRIJALVA.
H.R. 1427: Mr. ARCURI.
H.R. 1441: Mr. INGLIS.
H.R. 1454: Mr. BOCCIERI and Ms. TITUS.
H.R. 1459: Mr. QUIGLEY.
H.R. 1466: Mr. QUIGLEY and Mr. HINCHEY.
H.R. 1469: Mr. MORAN of Virginia, Mrs. LOWEY, Ms. KILPATRICK of Michigan, and Mr. PASTOR of Arizona.
H.R. 1511: Mr. NADLER of New York.
H.R. 1521: Mr. THORNBERRY, Mr. PAULSEN, Mr. SCOTT of Virginia, and Ms. SPEIER.
H.R. 1528: Mr. CONYERS.
H.R. 1530: Mr. CONYERS.
H.R. 1531: Mr. CONYERS.
H.R. 1547: Mr. DELAHUNT and Mr. SHADEGG.
H.R. 1548: Mr. GARRETT of New Jersey and Mr. FARR.
H.R. 1560: Mr. DAVIS of Kentucky.
H.R. 1587: Mr. CAMPBELL.
H.R. 1600: Mr. MCGOVERN, Ms. KILPATRICK of Michigan, and Mr. SCHIFF.
H.R. 1612: Ms. SCHAKOWSKY, Mr. HINOJOSA, and Mr. BLUMENAUER.
H.R. 1616: Mr. WEXLER and Mr. DICKS.
H.R. 1670: Mr. CARNAHAN.
H.R. 1677: Mr. BISHOP of Georgia and Mr. PASTOR of Arizona.
H.R. 1691: Mrs. SCHMIDT.
H.R. 1721: Mr. CARNAHAN.
H.R. 1764: Mr. HINCHEY.
H.R. 1826: Mr. CONYERS.
H.R. 1843: Ms. CLARKE.
H.R. 1844: Mr. BISHOP of New York, Ms. HERSETH SANDLIN, Mr. HINCHEY, Mr. OLVER, and Mr. FRANK of Massachusetts.
H.R. 1874: Mr. MCGOVERN.
H.R. 1894: Mr. ABERCROMBIE.
H.R. 1925: Mr. PETERS and Mr. CLEAVER.
H.R. 1927: Mr. LOBIONDO.
H.R. 1941: Mr. MCCLINTOCK.
H.R. 1988: Mr. GEORGE MILLER of California.
H.R. 1990: Mr. CARNEY and Mr. LOBIONDO.
H.R. 1993: Mr. WEXLER.
H.R. 2006: Ms. DEGETTE.
H.R. 2017: Mr. BISHOP of New York.
H.R. 2055: Ms. LEE of California, Mr. SESTAK, Ms. ESHOO, and Ms. WOOLSEY.
H.R. 2063: Mr. JONES.
H.R. 2070: Mr. SCHIFF.
H.R. 2076: Ms. SPEIER.
H.R. 2097: Mr. BONNER.
H.R. 2102: Mr. ISRAEL, Mr. HINCHEY, Mr. PAYNE, Mr. CUELLAR, and Mr. GRIJALVA.
H.R. 2125: Mr. FILNER.
H.R. 2189: Mr. EHLERS, Mr. MANZULLO, and Mr. SOUDER.
H.R. 2194: Mr. GRAVES, Mr. PETERS, Mr. PITTS, Mr. BROUN of Georgia, and Mr. CASSIDY.
H.R. 2196: Mr. ROONEY.
H.R. 2251: Mr. ALEXANDER, Mr. YOUNG of Florida, Mr. PASTOR of Arizona, Ms. ROS-LEHTINEN, Mr. CLAY, and Mr. PASCRELL.
H.R. 2269: Mr. SCOTT of Virginia.
H.R. 2296: Mr. LUCAS, Mr. MCCOTTER, and Mr. LUETKEMEYER.
H.R. 2329: Mr. PAUL, Mr. WEXLER, Mr. KLEIN of Florida, and Mr. PAULSEN.
H.R. 2404: Mr. PASTOR of Arizona.
H.R. 2419: Mr. FILNER, Mr. HINCHEY, and Mr. HALL of New York.
H.R. 2427: Ms. TSONGAS.
H.R. 2438: Mr. MCCOTTER.
H.R. 2452: Mr. WEINER, Mr. DAVIS of Kentucky, and Mr. LINDER.
H.R. 2478: Ms. SCHWARTZ.
H.R. 2479: Mr. KAGEN.
H.R. 2497: Mr. HINCHEY and Ms. MOORE of Wisconsin.
H.R. 2499: Mr. CARNAHAN, Mr. RUPPERSBERGER, and Mr. FLEMING.
H.R. 2515: Mr. AL GREEN of Texas.
H.R. 2517: Mr. JOHNSON of Georgia.
H.R. 2560: Mr. MCMAHON and Mr. ARCURI.
H.R. 2574: Mr. WEXLER.
H.R. 2632: Mr. COLE.
H.R. 2636: Mr. LAMBORN.
H.R. 2642: Mr. HERGER.
H.R. 2648: Mr. MEEK of Florida, Mr. FRANK of Massachusetts, and Ms. RICHARDSON.
H.R. 2669: Mr. HIGGINS.
H.R. 2676: Mr. TERRY.
H.R. 2681: Mr. HASTINGS of Florida.
H.R. 2692: Mr. TEAGUE, Mr. ARCURI, Mr. PAUL, Ms. MARKEY of Colorado, and Mrs. MCMORRIS RODGERS.
H.R. 2724: Ms. SCHWARTZ, Mr. MORAN of Virginia, Mr. FILNER, and Mr. JOHNSON of Georgia.
H.R. 2729: Mr. BAIRD.
H.R. 2743: Mr. HUNTER, Mr. TEAGUE, Mr. ROSS, Mr. HASTINGS of Florida, Mr. TONKO, Mr. POMEROY, Mr. MARIO DIAZ-BALART of Florida, Mr. PAUL, Mr. THOMPSON of Mississippi, Mr. ROYCE, Mr. PALLONE, Mr. SCHRADER, Mrs. SCHMIDT, Mr. ALEXANDER, Mr. YOUNG of Florida, Mr. JOHNSON of Georgia, Mr. DAVIS of Tennessee, Mr. SIRES, Mr. ELLISON, Mr. BOOZMAN, and Mr. GOHMERT.
H.R. 2745: Mr. SESSIONS.
H.R. 2750: Mr. BURTON of Indiana.
H.R. 2777: Mr. WEXLER.
H.R. 2817: Mr. MARKEY of Massachusetts, Mr. FARR, Mr. MORAN of Virginia, and Ms. SCHAKOWSKY.
H.R. 2835: Mr. ROTHMAN of New Jersey and Mr. WEXLER.
H.R. 2846: Mr. BURTON of Indiana, Mr. WILSON of South Carolina, Mr. WOLF, and Mr. SMITH of Nebraska.
H.R. 2850: Mr. CUMMINGS.
H. Con. Res. 59: Mr. CARNAHAN and Ms. CLARKE.
H. Con. Res. 74: Ms. JACKSON-LEE of Texas.
H. Con. Res. 131: Mr. BLUNT, Mr. CASSIDY, Mr. ISSA, Mr. MORAN of Kansas, Ms. JENKINS, Mr. CRENSHAW, Mr. SHUSTER, Mr. LUETKEMEYER, Mr. DREIER, Mr. TIBERI, Mr. GALLEGLY, and Mr. GUTHRIE.
H. Res. 81: Mr. WHITFIELD.
H. Res. 90: Mr. HINOJOSA.
H. Res. 101: Mr. KLEIN of Florida.
H. Res. 175: Mr. CLEAVER and Mr. HOLT.
H. Res. 241: Mr. ENGEL and Mr. FRANK of Massachusetts.
H. Res. 309: Mr. ROGERS of Alabama.
H. Res. 350: Mr. ROSKAM.
H. Res. 355: Mr. SESTAK.
H. Res. 393: Mr. COLE and Mr. TERRY.
H. Res. 419: Mr. SCOTT of Virginia and Mr. LEWIS of Georgia.
H. Res. 428: Mr. CALVERT.
H. Res. 493: Mr. SARBANES and Mrs. CAPPS.
H. Res. 507: Mr. NUNES, Ms. TSONGAS, and Mr. SNYDER.
H. Res. 512: Ms. SCHAKOWSKY and Mr. POE of Texas.
H. Res. 530: Mr. PAYNE, Mr. WILSON of Ohio, and Mr. JOHNSON of Georgia.
H. Res. 537: Mr. GARRETT of New Jersey, Mr. CULBERSON, and Mr. ROYCE.
H. Res. 538: Mrs. BIGGERT and Mr. LOEBSACK.
H. Res. 543: Mr. RAHALL, Mr. HINOJOSA, Ms. BORDALLO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCMAHON, Mr. HALL of New York, Mr. HARE, and Ms. SCHAKOWSKY.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

50. The SPEAKER presented a petition of the City of Miami, Florida, relative to Resolution: R-09-0179 URGING MEMBERS OF THE UNITED STATES SENATE AND THE UNITED STATES HOUSE OF REPRESENTATIVES TO SUPPORT PRESIDENT BARACK OBAMA'S GOALS OF MAKING HEALTH CARE MORE AFFORDABLE AND AVAILABLE TO ALL AMERICANS; FURTHER URGING INSURANCE COMPANIES, EMPLOYERS AND STATE GOVERNMENTS TO EMBRACE COMPREHENSIVE HEALTH CARE REFORM TO PROTECT AMERICAN FAMILIES; to the Committee on Energy and Commerce.

51. Also, a petition of the San Francisco Board of Supervisors, relative to RESOLUTION NO. 157-09 urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk; to the Committee on Oversight and Government Reform.

52. Also, a petition of the Town of Malabar, Florida, relative to RESOLUTION 10-2009 CLAIMING SOVEREIGNTY UNDER THE TENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OVER ALL POWERS NOT OTHERWISE GRANTED TO THE FEDERAL GOVERNMENT BY THE CONSTITUTION OF THE UNITED STATES EXCEPT AS LEGISLATED BY THE STATE OF FLORIDA; to the Committee on the Judiciary.

53. Also, a petition of the San Francisco Board of Supervisors, relative to RESOLUTION NO. 149-09 acknowledging immigrant contributions, denouncing Immigration and Customs Enforcement (ICE) raids, and supporting comprehensive immigration reform focused on family unity, worker justice, civil rights and a path to legalization; to the Committee on the Judiciary.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2847

OFFERED BY: MS. MOORE OF WISCONSIN

AMENDMENT NO. 3: In title I, in the paragraph entitled ''Salaries and Expenses'' immediately following the heading ''Departmental Management'' insert ''(reduced by $4,000,000)'' after ''$60,000,000''.

Page 42, line 7, after ''$400,000,000'' insert ''(increased by $4,000,000)''.

In title II, in the paragraph entitled ''Violence Against Women Prevention and Prosecution Programs'' under the heading ''State and Local Law Enforcment Activities Office on Violence Against Women'' in the numbered item in the second proviso relating to legal assistance for victims as authorized by section 1201 of the 2000 Act, insert ''(increased by $4,000,000)'' after ''$37,000,000''.

H.R. 2847

OFFERED BY: MS. MOORE OF WISCONSIN

AMENDMENT NO. 4: In title I, in the paragraph entitled ''Salaries and Expenses'' immediately following the heading ''Departmental Management'' insert ''(reduced by $8,000,000'') after ''$60,000,000''.

Page 42, line 7, after ''$400,000,000'' insert ''(increased by $8,000,000'').

In title II, in the paragraph entitled ''Violence Against Women Prevention and Prosecution Programs'' under the heading ''State and Local Law Enforcment Activities Office on Violence Against Women'' in the numbered item in the second proviso relating to legal assistance for victims as authorized by section 1201 of the 2000 Act, insert ''(increased by $8,000,000)'' after ''$37,000,000''.

H.R. 2847

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT NO. 5: Under title II, in the paragraph captioned STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE, after the dollar amount, insert the following: ''(increased by $5,000,000)''.

Under title II, after the paragraph captioned STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE, subsection (7), after the dollar amount, insert the following: ''(increased by $5,000,000)''.

Under title IV, after the paragraph captioned LEGAL SERVICES CORPORATION, after the first dollar amount in the first sentence, inserting the following: ''(decreased by $5,000,000)''.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 6: In title IV, strike the heading ''Legal Services Corporation'' and both paragraphs under that heading including their subheadings.

H.R. 2847

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT NO. 7: At the end of title V, before the short title, insert the following:

''SEC. __. None of the funds made available in this Act may be used to make full or partial completion of the American Community Survey mandatory or to enforce civil penalties, including fines, for failure to complete the Survey in its entirety.''

H.R. 2847

OFFERED BY: MR. SCHOCK

AMENDMENT NO.8: Page 3, line 4, after the dollar amount, insert ''(increased by $500,000)''.

Page 7, line 5, after the dollar amount, insert ''(reduced by $500,000)''.

H.R. 2847

OFFERED BY: MR. SCHOCK

AMENDMENT NO.9: Page 3, line 4, after the dollar amount, insert ''(increased by $500,000)''.

Page 4, line 7, insert before the period at the end the following: ''; *Provided further*, That of the amount appropriated under this heading $500,000 shall be used by the International Trade Administration to conduct a study and submit to Congress not later than 60 days after the date of the enactment of this Act a report on the economic impact, including the loss of jobs in the United States, since April 7, 2007, resulting from the failure to implement the United States-Colombia Trade Promotion Agreement''.

Page 7, line 5, after the dollar amount, insert ''(reduced by $500,000)''.

H.R. 2847

OFFERED BY: MR. MANZULLO

AMENDMENT NO.10: Page 3, line 4, after the dollar figure, insert ''(increased by $5,000,000)''.

Page 78, line 17, after each dollar figure, insert ''(reduced by $5,000,000)''.

H.R. 2847

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO.11: Page 3, line 4, after the dollar amount insert ''(reduced by $100,000)''

Page 23, line 18 and 19, after each dollar amount, insert ''(reduced by $21,132,000)''.

Page 45, lines 1, 4, and 13, after each dollar amount, insert ''(reduced by $78,768,000)''.

Page 47, line 22, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 48, line 17, after the dollar amount, insert ''(increased by $100,000,000)''.

H.R. 2847

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 12: Page 3, line 4, after the dollar figure, insert ''(increased by $20,000,000)''.

Page 78, line 17, after each dollar figure, insert ''(reduced by $20,000,000)''.

H.R. 2847

OFFERED BY: MR. SCHOCK

AMENDMENT NO. 13: Page 6, line 12, after the dollar amount insert ''(increased by $1,500,000)''.

Page 17, line 12, after the dollar amount insert ''(reduced by $1,500,000)''.

H.R. 2847

OFFERED BY: MRS. BIGGERT

AMENDMENT NO. 14: Page 13, line 11, insert after the dollar amount ''(reduced by $25,491,000)''.

Page 32, line 21, insert after the dollar amount ''(increased by $25,491,000)''.

H.R. 2847

OFFERED BY: MR. ROE OF TENNESSEE

AMENDMENT NO. 15: Page 13, line 11, after the dollar amount insert ''(reduced by $111,256,000)''.

H.R. 2847

OFFERED BY: MR. LEE OF NEW YORK

AMENDMENT NO. 16: Page 13, line 11, after the dollar amount insert ''(reduced by $129,000,000)''.

H.R. 2847

OFFERED BY: MR. STEARNS

AMENDMENT NO. 17: Page 13, line 11, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 47, line 22, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 48, line 17, after the dollar amount, insert ''(increased by $100,000,000)''.

H.R. 2847

OFFERED BY: MRS. CAPITO

AMENDMENT NO. 18: Page 13, line 11, insert ''(reduced by $10,000,000)'' after ''$3,198,793,000''.

Page 13, line 24, insert ''(reduced by $10,000,000)'' after ''$3,317,393,000''.

Page 13, line 25, insert ''(reduced by $10,000,000)'' after ''$3,198,793,000''.

Page 48, line 21, insert ''(increased by $10,000,000)'' after ''$30,000,000''.

H.R. 2847

OFFERED BY: MS. BORDALLO

AMENDMENT NO. 19: Page 13, line 11, after the dollar amount insert ''(increased by $500,000)''.

Page 13, line 24, after the dollar amount insert ''(increased by $500,000)''.

Page 13, line 25, after the dollar amount insert ''(increased by $500,000)''.

Page 17, line 12, after the dollar amount insert ''(reduced by $500,000)''.

H.R. 2847

OFFERED BY: MR. HASTINGS OF WASHINGTON

AMENDMENT NO. 20: Page 14, line 3, after the colon insert the following: ''*Provided further*, For necessary expenses associated with the restoration of Pacific salmon populations, $50,000,000 to remain available until September 30, 2010: *Provided further*, That of the funds provided herein the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, California, and Alaska and Federally-recognized tribes of the Columbia River and Pacific Coast for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds:''.

H.R. 2847

OFFERED BY: MR. MURPHY OF CONNECTICUT

AMENDMENT NO. 21: Page 17, line 12, after the dollar amount, insert ''(reduced by $2,460,000)''.

Page 45, line 1, after the dollar amount, insert ''(increased by $2,460,000)''.

Page 45, line 4, after the dollar amount, insert ''(increased by $2,460,000)''.

H.R. 2847

OFFERED BY: MS. WATERS

AMENDMENT NO. 22: Page 22, line 8, insert ''(decreased by $1,000,000)'' after the dollar amount.

Page 49, line 16, insert ''(increased by $1,000,000)'' after the dollar amount.

H.R. 2847

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 23: Page 32, line 21, insert ''(increased by $1,000,000) (decreased by $1,000,000)'' after the dollar amount.

H.R. 2847

OFFERED BY: MR. MARSHALL

AMENDMENT NO. 24: Page 48, Line 17, after the dollar amount insert ''(increased by $100,000,000)''

Page 67, Line 16, after the dollar amount insert ''(decrease by $25,000,000)''

Page 68, Line 19, after the dollar amount insert ''(decrease by $25,000,000)''

Page 69, Line 9, after the dollar amount insert ''(decrease by $25,000,000)''

Page 70, Line 18, after the dollar amount insert ''(decrease by $25,000,000)''

H.R. 2847

OFFERED BY: MR. ROE OF TENNESSEE

AMENDMENT NO. 25: Page 38, line 13, after the dollar amount, insert ''(reduced by $97,400,000)''.

H.R. 2847

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 26: Page 38, line 13, after the dollar amount, insert ''(reduced by $97,400,000)''.

H.R. 2847

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 27. Page 38, line 13, after the dollar amount, insert ''(increased by $50,000,000)''.

Page 73, line 15, after the dollar amount, insert ''(reduced by $50,000,000)''.

Page 73, line 24, after the dollar amount, insert ''(reduced by $50,000,000)''.

H.R. 2847

OFFERED BY: MRS. BIGGERT

AMENDMENT NO. 28: Page 42, line 7, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 47, line 22, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $15,000,000)''.

H.R. 2847

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 29: Page 47, line 22, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 52, line 4, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 75, line 18, after the dollar amount, insert ''(reduced by $15,000,000)''.

H.R. 2847

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT NO. 30: Page 47, line 22, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 49, line 19, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 78, line 17, after the first dollar amount, insert ''(reduced by $5,000,000)''.

H.R. 2847

OFFERED BY: MR. NADLER OF NEW YORK

AMENDMENT NO. 31: Page 45, line 1, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 45, line 4, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 45, line 13, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 56, line 23, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 58, line 19, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 58, line 21, after the dollar amount, insert ''(increased by $5,000,000)''.

H.R. 28471

1OFFERED BY: MS. GINNY BROWN-WAITE OF FLORIDA

AMENDMENT NO. 32: Page 66, before line 15 (before the short title for title II), insert the following:

SEC. ____. For ''Federal Prison System—Salaries and Expenses'' for hiring additional corrections officers, and the amount otherwise provided by this Act for ''State and Local Law Enforcement Assistance'' for the Tribal Courts Initiative is hereby reduced by, $15,000,000.

H.R. 2847

OFFERED BY: MR. MCCARTHY OF CALIFORNIA

AMENDMENT NO. 33: Page 68, line 19, insert ''(increased by $50,000,000)'' after ''$3,293,200,000''.

Page 78, line 17, insert ''(reduced by $50,000,000)'' after ''$440,000,000''.

Page 78, line 17, insert ''(reduced by $50,000,000)'' after ''$414,400,000''.

H.R. 2847

OFFERED BY: MR. PERLMUTTER

AMENDMENT NO. 34: Page 68, line 19, after the dollar amount insert ''(increased by $212,269,000)''.

Page 71, lines 17 and 24, after the dollar amount insert ''(reduced by $212,269,000)''.

H.R. 2847

OFFERED BY: MS. EDDIE BERNICE JOHNSON OF TEXAS

AMENDMENT NO. 35: Page 75, line 7, insert '': *Provided further*, That not less than $32,000,000 shall be available until expended for the Historically Black Colleges and Universities Undergraduate Program'' before the period.

H.R. 2847

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 36: Page 78, line 17, insert ''(reduced by $5,000,000)'' after ''$440,000,000''.

H.R. 2847

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 37: Page 78, line 17, after the first dollar amount, insert ''(reduced by $1)''.

Page 78, line 17, after the second dollar amount, insert ''(reduced by $1)''.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 38: Page 78, strike line 14 and all that follows through line 5 on page 79.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 39: Page 79, strike line 6 and all that follows through line 17.

H.R. 2847

OFFERED BY: MRS. MCCARTHY OF NEW YORK

AMENDMENT NO. 40: Page 101, after line 20, insert the following:

TITLE VI

ADDITIONAL GENERAL PROVISIONS

SEC. 601. (a) None of the funds made available to the Attorney General in this Act may be used to destroy any identifying information submitted to any system to implement section 922(t) of title 18, United States Code, by or on behalf of an individual described in subsection (b) of this section.

(b) An individual is described in this subsection if the name of the individual appears in—

(1) the Violent Gang Terrorist Organization File maintained by the Department of Justice or

(2) the database of terrorist watch lists maintained by the Federal Bureau of Investigation.

H.R. 2847

OFFERED BY: MR. BOSWELL

AMENDMENT NO. 41: In the item relating to ''Department of Justice—General Administration—Salaries and Expenses'', after the first dollar amount, insert ''(reduced by $2,500,000)''.

In the item relating to the ''National Criminal History Improvement'' in paragraph (25) under the heading ''State and Local Law Enforcement Assistance'', after the dollar amount, insert ''(increased by $2,500,000)''.

H.R. 2847

OFFERED BY: MR. ROSKAM

AMENDMENT NO. 42: In the item relating to ''Department of Justice—General Administration—Salaries and Expenses'' after ''$118,488,000'' insert ''(increased by $2,000,000) (reduced by $2,000,000)''.

H.R. 2847

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 43: In paragraph (1) of the item relating to ''State and Local Law Enforcement Assistance'', after the first dollar amount, insert ''(increased by $221,000,000)''.

In the item relating to ''National Science Foundation—Research and Related Activities'', after the first dollar amount, insert ''(reduced by $221,000,000)''.

H.R. 2847

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 44: In paragraph (1) of the item relating to ''State and Local Law Enforcement Assistance'', after the first dollar amount, insert ''(increased by $310,000,000)''.

In the item relating to ''National Science Foundation—Research and Related Activities'', after the first dollar amount, insert ''(reduced by $310,000,000)''.

H.R. 2847

OFFERED BY: MS. EDDIE BERNICE JOHNSON OF TEXAS

AMENDMENT NO. 45: In the item relating to ''Federal Prison System—Salaries and Expenses'', after the dollar amount, insert ''(reduced by $10,000,000)''.

In the item relating to ''Office of Justice Programs—Weed and Seed Program Fund'', after the dollar amount, insert ''(increased by $10,000,000)''.

H.R. 2847

OFFERED BY: MR. NADLER OF NEW YORK

AMENDMENT NO. 46: For ''Violence Against Women Prevention and Prosecution Programs'' for Jessica Gonzales Victim Assistants, as authorized by section 2001(b)(13) of part T of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)(13)), and the amount otherwise provided by this Act for ''Department of Justice—General Administration—Salaries and Expenses'' is hereby reduced by, $5,000,000.

H.R. 2847

OFFERED BY: MR. POSEY

AMENDMENT NO. 47: In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—EXPLORATION'', after the first dollar amount insert ''(increased by $566,000,000)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—SPACE OPERATIONS'', after the first dollar amount insert ''(increased $250,000,000)'', and after the third dollar amount insert ''(increased by $250,000,000)''.

H.R. 2847

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 48: At the appropriate place in the bill insert the following

SEC. . The amount of the discretionary appropriations otherwise made available in this Act for any department or agency is hereby reduced by .5 percent.

H.R. 2847

OFFERED BY: MR. CASSIDY

AMENDMENT NO. 49: Strike section 212.

H.R. 2847

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 50: At the appropriate place in the bill, insert the following:

SEC. ____. The amount of the discretionary appropriations otherwise made available in this Act for any department or agency is hereby reduced by an amount equal to the unobligated balance (on the date of the enactment of this Act) of the discretionary appropriations made available for such department or agency in division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

H.R. 2847

OFFERED BY: MR. HELLER

AMENDMENT NO. 51: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading ''State and Local Law Enforcement Assistance'' may be used for any State or local government that has any law, policy, or procedure in effect that circumvents the enforcement of any Federal immigration law.

H.R. 2847

OFFERED BY: MR. BILBRAY

AMENDMENT NO. 52: At the end of the bill (before the short title), insert the following:

SEC. 535. None of the funds made available in this Act may be used to provide funds to any State or local government entity in violation of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

H.R. 2847

OFFERED BY: MR. GOHMERT

AMENDMENT NO. 53: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. None of the funds made available in this Act may be used to pay salaries or expenses related to the Presidential Task Force on the Auto Industry.

H.R. 2847

OFFERED BY: MR. MCCAUL

AMENDMENT NO. 54: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used for a project or program named for an individual then serving as a Member, Delegate, Resident Commissioner, or Senator of the United States Congress.

H.R. 2847

OFFERED BY: MR. WITTMAN

AMENDMENT NO. 55: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 0.5 percent.

H.R. 2847

OFFERED BY: MR. WITTMAN

AMENDMENT NO. 56: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

H.R. 2847

OFFERED BY: MR. WITTMAN

AMENDMENT NO. 57: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 2 percent.

H.R. 2847

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 58: At the end of the bill (before the short title) the following:

SEC. 534. None of the funds available in this Act may be used to carry out or enforce section 5 of the Voting Rights Act of 1965 (42 U.S.C. 1973c).

H.R. 2847

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 59: At the end of the bill, before the short title, insert the following new section:

SEC. 535. None of the funds made available by this Act shall be used to establish or implement a National Climate Service.

H.R. 2847

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 60: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may, for purposes of carrying out the 2010 decennial census, be used to apply the statistical method known as ''sampling''.

H.R. 2847

OFFERED BY: MR. GINGREY OF GEORGIA

AMENDMENT NO. 61: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds appropriated by this Act may be used by the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives to pay the compensation of employees of the Bureau of Alcohol, Tobacco, Firearms and Explosives to test and examine firearms without written and published testing standards.

H.R. 2847

OFFERED BY: MR. QUIGLEY

AMENDMENT NO. 62: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used for either the construction or rental of infrastructure that does not comply with both the General Services Administration Sustainable Design Program for Federal buildings and the Public Buildings Service Project Plan.

H.R. 2847

OFFERED BY: MR. NUNES

AMENDMENT NO. 63: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to implement the biological opinion entitled ''Biological Opinion and Conference Opinion on the Long–Term Operations of the Central Valley Project and State Water Project'', issued by the National Marine Fisheries Service and dated June 4, 2009.

H.R. 2847

OFFERED BY: MR. POSEY

AMENDMENT NO. 64: Amendment to the end of the bill:

ADDITIONAL GENERAL PROVISION

The amounts otherwise provided by this Act are revised by the following:

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—EXPLORATION'', after the first dollar amount insert ''(increased by $566,000,000)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—SPACE OPERATIONS'', after the first dollar amount insert ''(increased by $250,000,000)'', and after the third dollar amount insert ''(increased by $250,000,000)''.

H.R. 2847

OFFERED BY: MR. BURTON

AMENDMENT NO. 65: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to adjudicate or assist in a lawsuit about the definition of marriage as between a man and a woman.

H.R. 2847

OFFERED BY: MR. AKIN

AMENDMENT NO. 66: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act may be used by the Bureau of the Census to provide any grant to or contract with any organization that has been indicted, or employ or contract with any individual who has been indicted, for a violation under Federal law relating to an election for Federal office.

H.R. 2847

OFFERED BY: MR. STEARNS

AMENDMENT NO. 67: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. None of the funds made available in this Act for the Equal Employment Opportunity Commission may be used for litigation expenses incurred in connection with cases commenced after the date of the enactment of this Act against employers on the grounds that such employers require employees to speak English.

H.R. 2847

OFFERED BY: MR. STEARNS

AMENDMENT NO. 68: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

H.R. 2847

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 69: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to obligate, or pay the salary or expenses of personnel who obligate, funds made available under the following headings in title II of division A of Public Law 111–5:

(1) ''Economic Development Administration—Economic Development Assistance Programs''.

(2) ''National Telecommunications and Information Administration—Digital-to-Analog Converter Box Program''.

(3) ''National Institute of Standards and Technology—Construction of Research Facilities''.

H.R. 2847

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 70: At the end of the bill (before the short title), insert the following:

SEC. ____. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

H.R. 2847

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 71: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available in this Act may be used to relocate the Office of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

H.R. 2847

OFFERED BY MR. BURTON OF INDIANA

AMENDMENT NO. 72: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to adjudicate or assist in a lawsuit seeking to prevent the enforcement of the Defense of Marriage Act (Public Law 104-199).

H.R. 2847

OFFERED BY: MR. ROGERS OF MICHIGAN

AMENDMENT NO. 73: At the end of the bill (before the short title) insert the following:

SEC. 534. None of the funds available in this Act may be used to provide rights under Miranda v. Arizona, 384 U.S. 436 (1966) by the Department of Justice, including all component agencies, to detainees in the custody of the armed forces of the United States in Afghanistan.

H.R. 2847

OFFERED BY: MR. BARRETT OF SOUTH CAROLINA

AMENDMENT NO. 74: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds made available in this Act under the heading ''Violence

Against Women Prevention and Prosecution Programs'' for grants to combat violence against women, as authorized by part T of the Omnibus Crime Control and Safe Streets Act of 1968, may be used to carry out any activity not authorized under part T of such Act.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 75: At the end of the bill, before the short title, insert the following new section:

SEC. 535. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 76: At the end of the bill (before the short title), insert the following:

SEC.—.None of the funds made available by this Act may be used the Maine Department of Marine Resources, Augusta, ME, for Maine Lobster Research and Inshore Trawl Survey.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 77: At the end of the bill (before the short title), insert the following:

SEC.—. None of the funds made available by this Act may be used by the Marine Mammal Center, Sausalito, CA, for Emergency Response and Health Investigations for Endangered and Threatened Pinniped Populations in the Pacific.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 78: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Woodstock Film Festival, Woodstock, NY, for the Woodstock Film Festival Youth Initiative/Youth at Risk.

H.R. 2847

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 79: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Art Center of the Grand Prairie, Stuttgart, AR, for the Grand Prairie Arts Initiative.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 80: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Yukon River Drainage Fisheries Association, Anchorage, Alaska, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $100,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 81: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Oyster Hatchery Economic Pilot Program of the Morgan State University Estuarine Research Center, St. Leonard, Maryland, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $200,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 82: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Shrimp Industry Fishing Effort Research Continuation project of the National Marine Fisheries Service, Silver Spring, Maryland, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $700,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 83: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Natural Stream Design and Restoration project of the West Virginia Department of Natural Resources, Charleston, West Virginia, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $750,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 84: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Institute for Seafood Studies project of the Nicholls State University Department of Biological Sciences, Thibodaux, Louisiana, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $325,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 85: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Aeronautics and Space Administration—Cross Agency Support'' shall be available for the Drew University Environmental Science Initiative of Drew University, Madison, New Jersey, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $1,000,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 86: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Aeronautics and Space Administration—Cross Agency Support'' shall be available for the Innovative Science Learning Center of ScienceSouth, Florence, South Carolina, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $500,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 87: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Justice—General Administration—National Drug Intelligence Center'' shall be available for operations of the National Drug Intelligence Center, and the amount otherwise provided under such heading is hereby reduced by $44,023,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 88: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Great Lakes Water Project of the Great Lakes Science Center, Cleveland, Ohio, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $250,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 89: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Eastern Kentucky PRIDE, Inc., project of Eastern Kentucky PRIDE, Inc., Somerset, Kentucky, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $1,000,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 90: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Maine Lobster Research and Inshore Trawl Survey of the Maine Department of Marine Resources, Augusta, Maine, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $200,000.

H.R. 2847

OFFERED BY: MR. FLAKE

AMENDMENT NO. 91: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Science Education Through Exploration project of the JASON Project, Ashburn, Virginia, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $4,000,000.

H.R. 2847

OFFERED BY: MR. LAMBORN

AMENDMENT NO. 92: At the end of the bill (before the short title), insert the following:

SEC. . None of the funds appropriated by this Act may be used by the Bureau of Prisons to incarcerate individuals currently held in the Naval Station, Guantanamo Bay, Cuba

H.R. 2847

OFFERED BY: MR. LINDER

AMENDMENT NO. 93: At the end of the bill (before the short title), insert the following:

SEC. 534. None of the funds available in this Act may be used by the Department of Justice for carrying out or enforcing compliance with section 5 of the Voting Rights Act of 1965 (42 U.S.C. 1973c).

H.R. 2847

OFFERED BY: MR. PENCE

AMENDMENT NO. 94: At the end of the bill (before the short title), insert the following:

SEC. 535. None of the funds made available in this Act may be used to enforce any of the amendments made by subtitle A of title II of the Bipartisan Campaign Reform Act of 2002 (Public Law 107-155).

H.R. 2847

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 95: At the end of the bill (before the short title), insert the following:

SEC. ____. Appropriations made in Title I of this Act are hereby reduced in the amount of $100,000,000.

H.R. 2847

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 96: At the end of the bill (before the short title), insert the following:

SEC. ____. Appropriations made in Title II of this Act are hereby reduced in the amount of $100,000,000.

H.R. 2847

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 97: At the end of the bill (before the short title), insert the following:

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $644,150,000.

H.R. 2847

OFFERED BY: MR. HODES

AMENDMENT NO. 98: At the end of the bill (before the short title), insert the following:

SEC. ____. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

H.R. 2847

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT NO. 99: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available in this Act may be used to make full or partial completion of the American Community Survey mandatory or to enforce civil penalties, including fines, for failure to complete the Survey in its entirety.

H.R. 2847

OFFERED BY MR. JORDAN OF OHIO

AMENDMENT NO. 100: At the end of the bill (before the short title), insert the following:

SEC. __. Appropriations made in this Act are hereby reduced in the amount of $12,511,000,000.

H.R. 2847

OFFERED BY: MR. BISHOP OF UTAH

AMENDMENT NO. 101: At the end of the bill (before the short title), insert the following:

SEC. 535. (a) None of the funds made available in this Act for the Bureau of the Census may be used for salaries and expenses of the Bureau of the Census unless, effective beginning with the 2010 decennial census of population, in taking any tabulation of total population by States under section 141(a) of title 13, United States Code, for purposes of the apportionment of Representatives in Congress among the several States, the Secretary of Commerce takes appropriate measures to ensure, to the maximum extent practicable, that all Americans residing abroad on the decennial census date are fully and accurately counted, and are properly attributed to their respective States.

(b) The measures described in subsection (a) shall include at least the following:

(1) One or more methods by which, at the request of a non-governmental organization, administrative records of such organization may, if such records satisfy such criteria as the Secretary may establish, be used to enumerate members of such organization who are residing overseas as of the decennial census date.

(2) One or more methods under which an international ''Be Counted'' form may be completed at an embassy of the United States by Americans residing overseas as of the decennial census date.

(c) Nothing in this section may be considered—

(1) to affect the methods used in the enumeration of any civilian or military personnel of the United States; or

(2) to permit or require that the data obtained under this subsection be used for any purpose other than the apportionment of Representatives in Congress among the several States.

H.R. 2847

OFFERED BY: MR. CUELLAR

AMENDMENT NO. 102: At the end of the bill, before the short title, insert the following new section:

SEC. 535. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the ''Energy Star'' or ''Federal Energy Management Program'' designation.

H.R. 2847

OFFERED BY: MR. MCDERMOTT

AMENDMENT NO. 103: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used in contravention of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

H.R. 2847

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 104: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Minority Business Development Agency—Minority Business Development'' shall be available for the Jamaica Chamber of Commerce, Jamaica, NY, for the Jamaica Export Center, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally designated items) are hereby reduced by $100,000.

H.R. 2847

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 105: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Training the Next Generation of Weather Forecasters project of San Jose State University, San Jose, California, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally designated items) are hereby reduced by $180,000.

H.R. 2847

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 106: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Steller Sea Lion Comanagement, Biosampling and Outreach/Education project of The Alaska Sea Otter and Steller Sea Lion Commission, Old Harbor, Alaska, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $500,000.

H.R. 2847

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 107: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Summer Flounder and Black Sea Initiative project of the Partnership for Mid-Atlantic Fisheries, Point Pleasant Beach, New Jersey, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $600,000.

H.R. 2847

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 108: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''International Trade Administration—Operations and Administration'' shall be available for the Textile Research Programs project of the Textile/Clothing Textile Corporation, Raleigh, North Carolina, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $965,000.

H.R. 2847

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 109: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

H.R. 2847

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 110: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. ____. For ''Federal Prison System—Salaries and Expenses'' for hiring additional corrections officers, and the amount otherwise provided by this Act for ''National Science Foundation—Research and Related Activities'' for the procurement of polar icebreaking services is hereby reduced by, $50,000,000.

H.R. 2847

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 111: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not

required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

H.R. 2847

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 112: At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 2 percent.

H.R. 2847

OFFERED BY: MR. REICHERT

AMENDMENT NO. 113: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. ____. For ''Office on Violence Against Women—Violence Against Women Prevention and Prosecution Programs'' for the Supporting Teens through Education and Protection program, as authorized by section 41204 of the Violence Against Women Act of 1994 (42 U.S.C. 14043c), and the amount otherwise provided by this Act for ''Departmental management—Salaries and expenses'' is hereby reduced by, $5,000,000.

H.R. 2847

OFFERED BY: MR. REICHERT

AMENDMENT NO. 114: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. ____. For ''Office on Violence Against Women—Violence Against Women Prevention and Prosecution Programs'' for the Supporting Teens through Education and Protection program, as authorized by section 41204 of the Violence Against Women Act of 1994 (42 U.S.C. 14043c), and the amount otherwise provided by this Act for ''Departmental management—Salaries and expenses'' is hereby reduced by, $2,500,000.

H.R. 2847

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 115: At the end of the bill (before the short title), insert the following:

SEC. II. None of the funds made available in this Act may be used to pay the salary or expenses of personnel who obligate, funds made available under the following headings in title II of division A of Public Law 111–5:

(1) ''Economic Development Administration—Economic Development Assistance Programs''.

(2) ''National Telecommunications and Information Administration—Digital-to-Analog Converter Box Program''.

(3) ''National Institute of Standards and Technology—Construction of Research Facilities''.

H.R. 2847

OFFERED BY: MR. MCHENRY

AMENDMENT NO. 116: At the end of the bill, insert the following:

SEC. ____. None of the funds made available in this Act to the Department of Commerce or the Bureau of the Census may be used to carry out statistical sampling in violation of section 195 of title 13, United States Code.

H.R. 2847

OFFERED BY: MR. SCHOCK

AMENDMENT NO. 117: At the end of the bill, before the short title, insert the following:

SEC. 534. None of the funds made available in this Act may be used to pay the salary of any individual currently participating on the entity known as the ''Presidential Task Force on the Auto Industry''.

H.R. 2847

OFFERED BY: MR. LEWIS OF CALIFORNIA

AMENDMENT NO. 118: At the end of the bill (before the short title), insert the following:

''SEC. . None of the funds made available in this Act may be used to implement Executive Order 13492, issued January 22, 2009, titled ''Review and Disposition of Individuals Detained at the Guantanamo Bay Naval Base and Closure of Detention Facilities''.''

H.R. 2847

OFFERED BY: MR. LEWIS OF CALIFORNIA

AMENDMENT NO. 119: At the end of the bill (before the short title), insert the following:

''SEC. . None of the funds made available in this Act may be used to implement Executive Order 13492 issued January 22, 2009, titled ''Review and Disposition of Individuals Detained at the Guantanamo Bay Naval Base and Closure of Detention Facilities''.''

H.R. 2847

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 120: At the end of the bill, before the short title, insert the following:

SECTION. ____. None of the funds made available by this Act shall be made available to the Association of Community Organizations for Reform Now, Acorn Beneficial Assoc., Inc., Arkansas Broadcast Foundation, Inc., Acorn Children's Beneficial Assoc., Arkansas Community Housing Corp., Acorn Community Land Assoc., Inc., Acorn Community Land Assoc. of Illinois, Acorn Community Land Association of Louisiana, Acorn Community Land Assoc. of Pennsylvania, ACORN COMMUNITY LABOR ORGANIZING CENTER, ACORN Beverly LLC, ACORN Canada, ACORN Center for Housing, ACORN Housing Affordable Loans LLC, Acorn Housing 1 Associates, LP, Acorn Housing 2 Associates, LP, ACORN Housing 3 Associates LP, ACORN Housing 4 Associates, L.P., ACORN International, ACORN VOTES, Acorn 2004 Housing Development Fund Corporation, ACRMW, ACSI, Acorn Cultural Trust, Inc., American Environmental Justice Project, Inc., ACORN Fund, Inc., Acorn Fair Housing Organization, Inc., Acorn Foster Parents, Inc., Agape Broadcast Foundation Inc., Acorn Housing Corporation, Arkansas Acorn Housing Corporation, Acorn Housing Corp. of Arizona, Acorn Housing Corp. of Illinois, Acorn Housing Corp. of Missouri, New Jersey ACORN Housing Corporation, Inc., AHCNY, Acorn Housing Corp. of Pennsylvania, Texas ACORN Housing Corporation, Inc., American Institute for Social Justice, Acorn law for Education, Rep. & Training, Acorn Law Reform Pac, Affiliated Media Foundation Movement, Albuquerque Minimum Wage Committee, Acorn National Broadcasting Network, Arkansas New Party, Arkansas Acorn Political Action Committee, Association for Rights of Citizens, Acorn Services, Inc., Acorn Television in Action for Communities, Acorn Tenants' Union, Inc., Acorn Tenant Union Training & Org. Project, AWA, Baltimore Organizing Support Center, Inc., Bronx Parent Leadership, Baton Rouge ACORN Education Project, Inc., Baton Rouge Assoc. of School Employees, Broad Street Corporation, California Acorn Political Action Committee, Citizens Action Research project, Council Beneficial Association, Citizens Campaign for Fair Work, Living Wage Etc., Citizens Consulting, Inc., California Community Network, Citizens for April Troope, Clean Government Pact, Chicago Organizing and Support Center, Inc., Council Health Plan, Citizens Services Society, Campaign For Justice at Avondale, CLOC, Community and Labor for Baltimore, Chief Organizer Fund, Colorado Organizing and Support Center, Community Real Estate Processing, Inc., Campaign to Reward Work, Citizens Services Incorporated, Elysian Fields Corporation, Environmental Justice Training Project, Inc., Franklin Acorn Housing Corporation, Flagstaff Broadcast Foundation, Floridians for All PAC, Fifteenth Street Corporation, Friends of Wendy Foy, Greenwell Springs Corporations, Genevieve Stewart Campaign Fund, Hammurabi Fund, Houston Organizing Support Center, Hospitality Hotel and Restaurant Org. Council, Iowa ACORN Broadcasting Corp., Illinois Home Day Care Workers Association, Inc., Illinois Acorn Political Action Committee, Illinois New Party, Illinois New Party Political Committee, Institute for Worker Education, Inc., Jefferson Association of parish Employees, Jefferson Association of School Employees, Johnnie Pugh Campaign Fund, Louisiana ACORN Political Action Committee, Louisiana Acorn Fair Housing, Inc., Labor Neighbor Research & Training Center, Inc. Service Employee Int. UNION L100, Local 100 Health and Welfare Fund, Local 100 Political Action Committee, Local 100 Retirement Plan, Service Employees International Union L880, Local 880 SEIU Political Action Committee, Local 880 SEIU Power Political Action Committee, Massachusetts ACORN Political Action Committee, Maryland ACORN Political Action Committee, Mott Haven ACORN Housing Development Fund, Mutual Housing Association of New York, Inc., MHANY A/A/F Neighborhood Restore HDFC, MHANY 2003 HOUSING DEVELOPMENT FUND CORPORATION, Missouri Home Day Care Workers Association Inc., McClellan Multi Family Corporation, Minnesota ACORN Political Action Committee, Neighbors for Athelia Ray, Neighbors for Maria Torres, Neighbors for Ted Thomas, New Mexico ACORN Fair Housing, Inc., New Mexico ACORN Political Action Committee, New Mexico Organizing Support Center, New Orleans Campaign for a, New York Agency for Community Affairs, Inc., New York Acorn Political Action Committee, New York Organizing and Support Center, Oregon ACORN Political Action Committee, Pennsylvania ACORN Political Action Committee, Pugh Election Committee, People's Equipment Resource Corporation, Progressive Houston, Pennsylvania Institute for Community Affairs, Inc., Phoenix Organizing and Support Center, Inc., Progressive St. Louis, Referendum Committee for an Accountable Future, Rhode Island APAC, Sixth Avenue Corporation, San Jacinto Street Corp., St. Louis Organizing and Support Center, Inc., St. Louis Tax Reform Group, Inc., Service Workers Action Team, Texas United City-County Employees, Texas United School Employees, Inc., United Security Workers for America, Local, Volunteers for America, Inc., Voting for America, Inc., Washington ACORN Political Action Committee, WARN, Working Families Association, Inc., Wal-Mart Workers Association, 385 Palmetto or 650 Political Action Committee.

H.R. 2847

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 121: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act under ''Bureau of the Census'' shall be made available to the Association of Community Organizations for Reform Now, Acorn Beneficial Assoc., Inc., Arkansas Broadcast Foundation, Inc., Acorn Children's Beneficial Assoc., Arkansas Community Housing Corp., Acorn Community Land Assoc., Inc., Acorn Community Land Assoc. of Illinois, Acorn Community Land Association of Louisiana, Acorn Community Land Assoc. of Pennsylvania, ACORN COMMUNITY LABOR ORGANIZING CENTER, ACORN Beverly LLC, ACORN Canada, ACORN Center for Housing, ACORN Housing Affordable Loans LLC, Acorn Housing 1 Associates, LP, Acorn Housing 2 Associates, LP, ACORN Housing 3 Associates LP, ACORN Housing 4 Associates, L.P., ACORN International, ACORN VOTES, Acorn 2004 Housing Development Fund Corporation, ACRMW, ACSI, Acorn Cultural Trust, Inc., American Environmental Justice Project, Inc., ACORN Fund, Inc., Acorn Fair Housing Organization, Inc., Acorn Foster Parents, Inc., Agape Broadcast Foundation Inc., Acorn Housing Corporation, Arkansas Acorn Housing Corporation, Acorn Housing Corp. of Arizona, Acorn Housing Corp. of Illinois, Acorn Housing Corp. of Missouri, New Jersey ACORN Housing Corporation, Inc., AHCNY, Acorn Housing Corp. of Pennsylvania, Texas ACORN Housing Corporation, Inc., American Institute for Social Justice, Acorn Law for Education, Rep. & Training, Acorn Law Reform Pac, Affiliated Media Foundation Movement, Albuquerque Minimum Wage Committee, Acorn National Broadcasting Network, Arkansas New Party, Arkansas Acorn Political Action Committee, Association for Rights of Citizens, Acorn Services, Inc., Acorn Television in Action for Communities, Acorn Tenants' Union, Inc., Acorn Tenant Union Training & Org. Project, AWA, Baltimore Organizing Support Center, Inc., Bronx Parent Leadership, Baton Rouge ACORN Education Project, Inc., Baton Rouge Assoc. of School Employees, Broad Street Corporation, California Acorn Political Action Committee, Citizens Action Research Project, Council Beneficial Association, Citizens Campaign for Fair Work, Living Wage Etc., Citizens Consulting, Inc., California Community Network, Citizens for April Troope, Clean Government Pac, Chicago Organizing and Support Center, Inc., Council Health Plan, Citizens Services Society, Campaign For Justice at Avondale, CLOC, Community and Labor for Baltimore, Chief Organizer Fund, Colorado Organizing and Support Center, Community Real Estate Processing, Inc., Campaign to Reward Work, Citizens Services Incorporated, Elysian Fields Corporation, Environmental Justice Training Project, Inc., Franklin Acorn Housing Corporation, Flagstaff Broadcast Foundation, Floridians for All PAC, Fifteenth Street Corporation, Friends of Wendy Foy, Greenwell Springs Corporations, Genevieve Stewart Campaign Fund, Hammurabi Fund, Houston Organizing Support Center, Hospitality Hotel and Restaurant Org. Council, Iowa ACORN Broadcasting Corp., Illinois Home Day Care Workers Association, Inc., Illinois Acorn Political Action Committee, Illinois New Party, Illinois New Party Political Committee, Institute for Worker Education, Inc., Jefferson Association of Parish Employees, Jefferson Association of School Employees, Johnnie Pugh Campaign Fund, Louisiana ACORN Political Action Committee, Louisiana Acorn Fair Housing, Inc., Labor Neighbor Research & Training Center, Inc., Service Employee Int UNION L100, Local 100 Health and Welfare Fund, Local 100 Political Action Committee, Local 100 Retirement Plan, Service Employees International Union L880 SEIU Political Action Committee, Local 880 SEIU Power Political Action Committee, Massachusetts ACORN Political Action Committee, Maryland ACORN Political Action Committee, Mott Haven ACORN Housing Development Fund, Mutual Housing Association of New York, Inc., MHANY A/A/F Neighborhood Restore HDFC, MHANY 2003 HOUSING DEVELOPMENT FUND CORPORATION, Missouri Home Day Care Workers Association, Inc., McClellan Multi Family Corporation, Minnesota ACORN Political Action Committee, Neighbors for Athelia Ray, Neighbors for Maria Torres, Neighbors for Ted Thomas, New Mexico ACORN Fair Housing, Inc., New Mexico ACORN Political Action Committee, New Mexico Organizing Support Center, New Orleans Campaign for a, New York Agency for Community Affairs, Inc., New York Acorn Political Action Committee, New York Organizing and Support Center, Oregon ACORN Political Action Committee, Pennsylvania ACORN Political Committee, Pugh Election Committee, People's Equipment Resource Corporation, Progressive Houston, Pennsylvania Institute for Community Affairs, Inc., Phoenix Organizing and Support Center, Inc., Progressive St. Louis, Referendum Committee for an Accountable Future, Rhode Island APAC, Sixth Avenue Corporation, San Jacinto Street Corp., St. Louis Organizing and Support Center, Inc., St. Louis Tax Reform Group, Inc., Service Workers Action Team, Texas United City-County Employees, Texas United School Employees, Inc., United Security Workers for America, Local, Volunteers for America, Inc., Voting for America, Inc., Washington ACORN Political Action Committee, WARN, Working Families Association, Inc., Wal-Mart Workers Association, 385 Palmetto or 650 Political Action Committee.

H.R. 2847

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 122: At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

H.R. 2847

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 123: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under ''Bureau of the Census'' shall be made available to the Association of Community Organizations for Reform Now.

H.R. 2847

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 124: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available under this Act shall be made available to the Association of Community Organizations for Reform Now.

H.R. 2847

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 125: At the end of the bill add the following new section:

Amendment to H.R. 2847, as reported

Offered by Ms. Jackson Lee

Page 98, beginning on line 21, strike ''(a)'' and all that follows, through line 25.

H.R. 2847

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 126: At the end of the bill add the following new section:

Amendment to H.R. 2847, as reported

Offered by Ms. Jackson Lee

Page 54, line 10 subsection (3), insert ''(increased by $10,000,000)'' after ''$80,000,000''.

Page 54, line 11, subsection (4) insert ''(increased by $10,000,000)'' after ''$62,000,000''.

Page 40, line 3, insert ''(decreased by $20,000,000'') after ''($96,744,000)''.

H.R. 2847

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 127: At the end of the bill add the following new section:

Amendment to H.R. 2847, as reported

Offered by Ms. Jackson Lee

Page 98, beginning on line 21, strike ''(a)'' and all that follows, through line 25.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, MONDAY, JUNE 15, 2009 No. 89

Senate

The Senate met at 1:45 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Creator and upholder of our lives, we can't escape from Your presence or control, nor do we desire to do so. We stand in awe of Your power, mercy, and majesty. Our thoughts of Your goodness banish our fears. Today give to the Members of the Senate a high sense of the common purpose that unites them. Deliver them from that stubborn pride that imputes to itself infallibility and that pits partisanship against national interest. Father of all, guide our lawmakers through discussion, debate, and confrontation to the solutions so desperately needed in our land. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 15, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period for the transaction of morning business for Senators to speak for up to 10 minutes each. There will be no roll-call votes today. Tomorrow Senators should expect a cloture vote on the motion to proceed to the Travel Promotion Act. That will be prior to our weekly caucus luncheons.

This week, we are going to do the best we can to complete the Travel Promotion Act and the supplemental bill. We should be able to do that and, hopefully, get some nominations done. Next week, we have other things we need to do, including the Homeland Security appropriations bill. I spoke with the Republican leader on a number of occasions on that issue. To get to it next week, we need a consent agreement because the House will not act on it until probably Wednesday of next week or something like that. It does not give us enough time, and we need to start earlier. We will work on that and see what we can come up with.

We have announced before that the 5 weeks after we get back from the Fourth of July recess will be very busy with a lot of work. The HELP Committee and the Finance Committee are going to have their bills reported out of their committees before we leave a week from Friday so we can start working on the health care legislation in the Senate.

The next work period will be very heavy, although we have—I cannot complain—we have been able to complete a tremendous amount of legislation. I was told over the weekend the work we have been able to do to this point is as much as any President has ever accomplished and Congress has accomplished with the President during the first 5 months of a legislative session but for the first time of Roosevelt.

We passed some major legislation. We should all feel good about that. But there is so much more to do. We have to roll up our sleeves and work even harder with health care and energy not far down the road.

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 for the transaction of morning business, with Senators permitted to speak for up 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WEBB). Without objection, it is so ordered.

The Senator from Virginia is recognized.

SENIOR NAVIGATION AND PLANNING ACT OF 2009

Mr. WARNER. Mr. President, I rise today to talk about legislation to help

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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seniors navigate through a complicated and often overwhelming health care delivery system. Because of the fragmented nature of our health care system, we often fail to provide patients, their families, and caregivers with the necessary tools, information, and support to both age well and with dignity in the setting of their preference, oftentimes their homes.

I believe if we provide patients with better information about advanced care planning in noncrisis situations, they will make decisions for themselves and their families that result in better care and a better quality of life.

Today I am introducing the Senior Navigation and Planning Act of 2009 to help seniors and their families navigate through a complex system and to help them make informed medical decisions. My legislation would provide access to an advanced illness care management benefit, a benefit that does not exist currently in our health care delivery system.

My legislation, as well, would increase the awareness of advanced care planning through a national education campaign and clearinghouse. It would also reduce legal hurdles to the enforcement of advanced directives. It would create incentives for hospitals and physicians to get accredited and certified in palliative care. It would increase compliance with medical orders and discharge instructions. Too often a patient may leave a hospital, not do the appropriate actions afterwards, and not follow the discharge information, which can result in the patient being readmitted to the hospital or ending up with their health care provider not having the appropriate followup. We have to make sure we put an end to that.

My legislation would also educate entities, including faith-based organizations, on advanced care planning issues. Oftentimes an individual or family, when dealing with end-of-life issues, will turn not only to their medical provider but oftentimes to their priest or rabbi or minister. We want to make sure folks in the faith-based community understand the challenges and opportunities people have with advanced care planning.

My legislation, as well, would increase coordination and integration between the Medicare and Medicaid Programs. Too often these programs that both deal with seniors, their health care issues, and aging issues do not cooperate or collaborate.

Collectively, these initiatives will create a more accessible environment for seniors to receive the care they need when they need it, and in the setting they prefer.

Let me be clear, this legislation does not deny or withhold services. However, it does recognize that overall health reform should include a thoughtful process that informs patients, their families, and caregivers on how to navigate and think through difficult decisions about when and how to pursue treatments at the end of life.

By enacting these reforms, we will begin to develop a culture in which all of us will have the ability to age well, with dignity, and, again, in the setting of our choosing.

I ask unanimous consent to have printed in the RECORD letters of support from the following organizations: the AARP, the Alzheimer's Foundation, the Duke University Divinity School, the Institute on Care at the End of Life, the National Hospice and Palliative Care Organization, UnitedHealth Group, and Aetna.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL HOSPICE
AND PALLIATIVE CARE ORGANIZATION,
June 12, 2009.

Senator MARK WARNER,
Russell Senate Office Building,
Washington, DC.

Dear SENATOR WARNER: On behalf of hospice programs across the nation, their professionals, volunteers and most importantly, the patients and families they serve, the National Hospice and Palliative Care Organization is writing to express our support for your Senior Navigation and Planning Act of 2009. This health reform legislation will strengthen the quality of end-of-life care, and make it more cost-efficient through enhanced resources to allow more informed choices and prevent unnecessary and costly medical procedures.

Research has shown that individuals who have discussions about end-of-life care have less invasive medical treatments, and a higher quality of life. We are pleased that your bill enhances access to additional resources for end-of-life care planning, including: a new transitional benefit delivered by hospice teams for patients with advanced illnesses, an expanded use of advance directives, and increased public awareness of the importance of end-of-life planning. These tools implemented nationwide could help reduce Medicare spending by $15 billion over 10 years.

Your legislation will ensure that patients and families are able to navigate the journey at the end of life with the necessary information and support that will bring dignity, quality care, and hope when they are most needed. For more than 30 years, hospices have been providing high-quality care to people at one of life's most challenging times—and research has shown hospice saves Medicare more than $2 billion every year. This legislation uses the knowledge and expertise of the hospice and palliative care community in a valuable way.

The Senior Navigation and Planning Act of 2009 will give patients and their families coping with life-limiting illnesses the kind of information and services they need. The National Hospice and Palliative Care Organization strongly endorses your bill, and appreciates your support of strengthening high-quality and compassionate end-of-life care for the 1.4 million Americans who choose hospice each year.

Sincerely,

J. DONALD SCHUMACHER, PSYD,
President/CEO.

DUKE INSTITUTE ON
CARE AT THE END OF LIFE,
June 11, 2009.

Senator MARK R. WARNER,
Rusell Senate Office Building,
Washington, DC.

Re The Senitor Navigation and Planning Act of 2009.

DEAR SENATOR WARNER: In my career as a pain and palliative care physician, I have become convinced that innovative models of care that can leverage both community desire and community assets for engagement in the care of the ill and dying—including the involvement and assets of faith communities—are urgently needed.

Almost all patients and families experience illness within their community and receive episodic acute care in the hospital. Meeting the needs of patients requires an approach that raises public awareness, provides training and resources to family members and loved ones, and connects the resources of the hospital environment with care resources in the community. Faith communities are logically and historically positioned to be a locus of effective care for the ill and the dying and are a relatively untapped resource to meet the health care needs in the community.

The Senior Navigation and Planning Act of 2009 provides the groundwork that can spark such innovative models and has tremendous potential to improve care for the rapidly growing numbers of individuals with advanced illness or who are at the near end of life. I applaud this effort and offer you my wholehearted support for its passage.

Sincerely,

RICHARD PAYNE, M.D.,
Professor of Medicine and Divinity.

ALZHEIMER'S FOUNDATION OF AMERICA,
June 9, 2009.

Hon. MARK R. WARNER,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATOR WARNER: The Alzheimer's Foundation of America (AFA) is pleased to endorse the Senior Navigation and Planning Act of 2009. On behalf of AFA and its members, thank you for your leadership in introducing this important legislation.

AFA was formed in February 2002 ''to provide optimal care and services to individuals confronting dementia, and to their caregivers and families—through member organizations dedicated to improving quality of life.'' Today, the Alzheimer's Foundation of America's membership consists of more than 1,200 member organizations that provide hands-on programs and services from coast to coast, including grassroots nonprofit organizations, healthcare facilities, government agencies, public safety departments, and long-term care communities.

Dignity, respect, and quality of life are the treatment goals for individuals in the end stage of Alzheimer's disease and related dementias; as well as support, training and respite for family caregivers. The Senior Navigation and Planning Act would greatly help those with dementia and their families by establishing a new transitional care benefit through hospice for Medicare and/or Medicaid beneficiaries with a life expectancy of 18 months or less. Valuable services provided under this new benefit would include: palliative care consultation services; care planning services; counseling of individual and family members; discussions regarding the availability of supportive services including information on advanced directives and other end-of-life planning tools; encouragement of patient-centered care; family conference services; respite services up to 16 hours per month; and caregiver training provided at the caregivers' home focused on providing effective personal and technical care.

For the millions of Americans with Alzheimer's disease or a related dementia, advance directive planning services are essential. To address this challenge, the Senior Navigation and Planning Act would create a national awareness campaign of advance directive planning. It would also establish a toll-free telephone line and clearinghouse that the public and health care professionals

may access to find out about state-specific information regarding advance directives and end-of-life planning decisions.

This legislation will allow eligible beneficiaries and their family caregivers to receive the information they need about advance directive and other end-of-life planning tools directly from their physicians. In addition, hospitals, skilled nursing facilities, home health agencies, and hospice programs will be required to provide the opportunity to discuss the general course of treatment expected, the likely impact on the length of life and function, and the procedures they should use to secure help if an unexpected situation arises. Such services will not only help improve quality of life, but will also help to reduce the stigma and fear of facing end-of-life issues in general.

The Senior Navigation and Planning Act would further protect the rights of individuals by requiring providers to honor written medical orders as a condition of payment. The bill would also provide incentives for hospice and palliative care accreditation and certification by providing bonus payments for those facilities with programs in place and a payment cut for facilities that do not have an accredited palliative program in place by 2020.

Beneficiaries with Alzheimer's disease and related dementias place heavy demands on the health care system. Because of the unique nature of their disease, individuals with cognitive impairment must rely on family caregivers and others to identify and obtain the right mix of services and supports to maintain their health and to live in the community as long as possible. This legislation would take the much-needed step of creating an Office of Medicare/Medicaid Integration to align program policies. The Office would simplify dual eligible access to Medicare and Medicaid program benefits and services; improve care continuity and ensure safe and effective care transitions; eliminate cost shifting between programs and among related care providers; eliminate regulatory conflicts; and improve total cost and quality.

Faith-based organizations often play a key role in end-of-life decision-making and planning for those with terminal illnesses. The Senior Navigation and Planning Act would empower the Secretary to create web-based materials as well as to establish end-of-life home-based service, training and education grants specifically for faith-based organizations. For individuals with end stage Alzheimer's disease and related dementias and their family caregivers in particular, faith-based services, training and support can make a world of difference in an otherwise isolating situation.

AFA is the face of care for individuals and their families who are affected by Alzheimer's disease and related dementias. We are proud to support the Senior Navigation and Planning Act and we look forward to working with you to advance this important legislation. If you have any further questions, please feel free to contact me, or have your staff contact Sue Peschin, AFA vice president of public policy.

Sincerely,

ERIC J. HALL,
President and Chief Executive Officer.

UNITEDHEALTH GROUP,
PENNSYLVANIA AVENUE, NW.,
Washington DC, June 11, 2009.

Hon. MARK WARNER,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR WARNER: I am writing to express UnitedHealth Group's strong support for your legislation, the Senior Navigation and Planning Act of 2009, which better equips seniors with the necessary tools, information and support needed to make informed medical decisions and ensure they receive the highest quality care.

Your legislation will fundamentally transform the way terminally ill patients and their families navigate the difficult decisions encountered at the end-of-life. We understand that when the elderly and their families are provided with relevant information and resources about care options such as hospice, palliative care, and the use of advanced directives, they are able to make more informed and personally appropriate decisions. By combining the best practices found in the public and private sectors, this legislation will go a long way in ensuring that patients facing the end-of-life are provided—through shared decision making with their physicians and caregivers—the most appropriate and sensitive care. UnitedHealth Group strongly supports patient-centered care, support services and planning tools for those with advanced illnesses. We applaud your focus on this important issue within the health reform debate.

UnitedHealth Group has a strong commitment to patient-centered end-of-life care, as demonstrated by the following programs and options that we offer to both Medicare beneficiaries and commercially-insured people:

Evercare Hospice and Palliative Care which operates in ten states and serves more than 1,200 people a day for their end-of-life needs.

The Advanced Illness Care Model which is offered through our Medicare Advantage and Special Needs Plans. This model provides coordinated care for patients with advanced illnesses and supports education for patients and their families regarding their clinical condition and the management of quality of life treatment issues in the last twelve months of life.

The Evercare Institutional Special Needs Plans (SNPs), which are specialized health plans that deploy nurse practitioners in nursing homes to assist in coordination of care and other planning services.

The UnitedHealth Care Hospice benefit which is an industry leader in the comprehensiveness of its plan offerings.

As a result of this accumulated experience, we understand that providing access to early and comprehensive hospice and palliative care services results in an increase in the quality of life for patients and reduction in futile and duplicative clinical interventions.

In conclusion, we are especially encouraged that your bill:

Creates a transitional care benefit to increase access to palliative care;

Establishes a national education campaign and clearinghouse providing advanced care planning resources;

Assures portability of advanced directives across states;

Creates incentives for hospitals and physicians to get accredited and certified in hospice and palliative care; and

Increases integration and coordination between the Medicare and Medicaid programs.

Thank you for your strong leadership in the U.S. Senate on this issue of critical importance to the entire health care system. We look forward to working with you to advance the Senior Navigation and Planning Act of 2009 and on other areas to strengthen our health care system.

Sincerely,

REED V. TUCKSON, MD,
Executive Vice President and Chief of Medical Affairs.

AETNA,
FARMINGTON AVENUE,
Hartford, CT, June 15, 2009.

Hon. MARK R. WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: Aetna is pleased to support the Senior Navigation and Planning Act of 2009. This legislation will strengthen the quality of counseling, support services, and care management for patients and families coping with life-limiting illnesses. We commend you for your leadership on these critical issues.

Aetna, itself, has been a leader in advocating for compassionate care in the face of life-threatening illness. In April 2004, Aetna announced a comprehensive program of case management support and expanded benefits to help Aetna members and their families cope more effectively with the complex medical and emotional issues associated with the end of life. In an innovative move, Aetna provided coverage for hospice benefits while allowing members to continue with curative care, and to do so with a life expectancy of twelve months instead of the six months Medicare allows. Aetna also pioneered a comprehensive program of case management provided by nurses trained in advance illness and in coordinating care in a manner that respects ethnic and cultural traditions.

Member reaction to Aetna's Compassionate Care Program has been gratifying. Ninety-six percent of participants' caregivers said they believed the member's needs for pain management and symptom relief were met in the final months of life. Sixty-three percent of program members accessed hospice, a significant increase over traditional Medicare.

In the pursuit of curative care, we too often fail to engage patients and loved ones in discussions of additional options for dealing with advanced illness and to support them in their choices. This legislation will help change that by facilitating the ability of patients and families to make informed decisions at times of stress and vulnerability. Aetna supports this legislation, and hopes to collaborate in the realization of its goals. We look forward to working with you and your Congressional colleagues to advance the quality of health care for all Americans.

Sincerely,

LONNY REISMAN, MD,
Chief Medical Officer.
RANDALL KRAKAUER, MD,
Head of Medicare Medical Management.

Mr. WARNER. 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. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JUDGE SOTOMAYOR HEARINGS

Mr. MCCONNELL. Mr. President, it was less than 3 weeks ago that the President announced his intentions to nominate Judge Sonia Sotomayor to the Supreme Court. In announcing her nomination, the White House made much of the fact that the judge had the

lengthiest judicial record in recent memory. Last week, in a departure from past practice, the Democratic leadership of the Judiciary Committee unilaterally scheduled her hearing without even notifying the ranking member. Because of this unwise and unfair approach, Judge Sotomayor's hearing will begin just 3 weeks from today. As I understand it, her questionnaire is still incomplete. Among other deficiencies, she has not provided materials from 17 cases she handled as a prosecutor, nor has she provided materials from any appellate cases she handled, and she has not provided materials from over 100 speeches she has given.

During the Roberts and Alito hearings, our Democratic friends repeatedly told us it was more important to do it right than to do it quick. Now that there is a Democratic President, it appears the attitude is to just do it. They want the shortest confirmation process in recent memory for a nominee with the longest judicial record in recent memory. There is clearly a double standard at play here—one that undermines our ability to fulfill one of the Senate's most important and solemn responsibilities.

HEALTH CARE REFORM

Mr. MCCONNELL. Mr. President, as the national discussion over health care intensifies, one thing is already clear: Both Republicans and Democrats agree health care is in serious need of reform. The only thing that remains to be seen is what kind of reform we will deliver. Americans are increasingly worried about what they are hearing from Washington.

Americans want lower costs, and they want the freedom to choose their own doctors and their own care. What they do not want is a Washington takeover of health care along the lines of what we have already seen with banks, insurance companies, and the auto industry. Americans don't want a government-run system that puts bureaucrats between patients and doctors. They certainly don't want the kind of government boards that exist in places such as New Zealand and Great Britain that deny, delay, and ration treatments that are currently available to Americans.

Americans want change, but they do not want changes that will make existing programs worse. That is exactly what a government-run system would do.

Unfortunately, the notion of a government-run plan has been gaining steam. Over the past couple weeks, one Democratic leader after another has insisted that it be included as a part of any reform. The reaction to this should tell us something.

Among those who have begun to mobilize in opposition to America's plans are America's doctors who warn it would limit access to care and could lead to nearly 70 percent of Americans being kicked off the health plans they currently have.

The U.S. Chamber of Commerce, which represents about 3 million businesses in this country, has warned that the creation of a government plan would lead to a government-run health care system. The CEO of the renowned Mayo Clinic warned that some of the best providers could go out of business. The National Federation of Independent Businesses, one of the Nation's leading associations of small businesses, has also expressed its concerns about a government-run plan.

Americans don't want the kind of government-run system that some in Washington have proposed. They do not want politicians to use the real problems we have in our health care system as an excuse to tear down the whole thing, take away everything that is good about it, and replace it with something worse. They want practical solutions to specific problems, and that is what the rest of us are proposing.

Here are some commonsense proposals: We all agree health care in this country is too expensive. Americans don't think basic procedures should break the bank, and American families shouldn't have to worry about going bankrupt if a family member becomes ill.

But government-run health care will only make matters worse. If our experience with Medicare shows us anything, it is that the government health plans are not—I repeat are not—cost effective.

Over the weekend, the administration proposed making cuts to Medicare as a way of defraying the cost of a new government plan. That is exactly the wrong approach. America's seniors expect Congress to stabilize Medicare so it continues to serve their needs, not drain its resources to pay for another, even bigger government plan. Changes to Medicare should be used to make Medicare solvent for seniors today and for those who are paying into it and who will rely on the system tomorrow, not to build a brandnew government plan on top of one that is already on an unsustainable course. If we want to cut costs and rein in debt, then extending a Medicare-like system to everyone in America is exactly the wrong prescription. We need to make Medicare itself solvent and find ways to improve the current health care system.

One way to do that is to implement reforms that we know will save money. We could start with illness prevention programs that encourage people to quit smoking and to control their weight. It is no mystery that smoking and obesity are leading causes of the kinds of chronic diseases that are driving up health care costs. And finding ways to reduce these illnesses would also reduce costs. We should allow employers to create incentives for workers to adopt healthier lifestyles.

We should also encourage the same kind of robust competition in the health insurance market that has worked so well in the Medicare prescription drug benefit, Part D. We can enact long-overdue reforms to our Nation's medical liability laws. For too long, the threat of frivolous lawsuits has caused insurance premiums for doctors to skyrocket. Doctors then pass these higher costs on to patients, driving up the cost of care. Well, most people think health care dollars ought to be spent on health care, not insurance premiums. Yet doctors all across America are not only passing along the costs of higher and higher premiums, they are also ordering expensive and unnecessary tests and procedures to protect themselves against lawsuits.

One study suggests that roughly 9 out of 10 U.S. doctors in high-risk specialties practice some form of defensive medicine such as this—and the cost to patients is massive. Some doctors simply shut their practices or discontinue services as a result of these pressures. Patients such as Rashelle Perryman of Crittenden County Hospital are the ones who lose out. Rashelle's first two babies were born in Crittenden County Hospital, about 10 minutes from her home. But her third child had to be delivered about 40 miles away because rising malpractice rates caused doctors at Crittenden County Hospital to stop delivering babies altogether.

This isn't an isolated problem, and it is not just obstetricians. According to a report by the Kentucky Institute of Medicine, Kentucky is nearly 2,300 doctors short of the national average—a shortage that could be reduced, in part, by reforming medical malpractice laws.

Comprehensive health care reforms are long overdue—reforms that lower cost and increase access to care. But a government-run plan isn't the way to do it. There are other solutions that address our problems without undermining our strengths.

Over the past few weeks, I have warned about the dangers of government-run health care by pointing to the problems this kind of government-run system has created in places such as Britain, Canada, and New Zealand. These countries are living proof that when the government is in charge, health care is denied, delayed, and rationed. As I have noted, the main culprits in every case are the government boards that decide what procedures and medicines patients can and cannot have.

I have discussed how Britain's government board has denied care to cancer patients because the treatments were too expensive. In one case, bureaucrats in Britain refused to prescribe cancer drugs that were proven to extend the lives of patients because they cost too much. The government board explained it this way:

> Although these treatments are clinically effective, regrettably the cost . . . is such that they are not a cost effective use of . . . resources.

I have also discussed how the government-run health care system in Canada

routinely delays care. Today, the average wait for a hip replacement at one hospital in Kingston, Ontario, is about 196 days. Knee replacement surgery at the same hospital takes an average of 340 days. The American people don't want to be told they have to wait 6 months for a hip replacement or a year for a knee replacement, but that is what could very well happen in a government-run health care system.

Finally, I have discussed how New Zealand's government board has rationed care by deciding which new hospital medicines are cost effective. In one case, government bureaucrats in that country denied patients access to a drug that was proven to be effective in fighting breast cancer because they thought it was too expensive. As one cancer doctor in the country put it:

> New Zealand is a good tourist destination, but options for cancer treatment are not so attractive there right now.

Americans want health care reform, but they don't want the kind of reform that denies, delays, and rations care, such as the government-run systems in New Zealand, Britain, and Canada. They don't want to be forced into a government plan that replaces the freedoms and choices they now enjoy with bureaucratic hassles, hours spent on hold, and politicians in Washington telling them how much care and what kind of care they can have. They want health care decisions left to doctors and patients, not remote bureaucrats. But if some in Washington get their way and enact a government takeover of health care, that is exactly what Americans can expect.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. KYL pertaining to the introduction of S. 1259 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

ADDITIONAL STATEMENTS

COMMENDING THE LOTHSPEICH BROTHERS

• Mr. CONRAD. Mr. President, I want to take a moment to honor a North Dakota family filled with heroes. Even in a State where sacrifice is more than a slogan and service is a way of life, the Lothspeich family stands out. When their nation needed them, every single one of the nine Lothspeich brothers rose to answer the call to duty.

Today we recognize the service of the three brothers who are still with us, and honor the memory of those who are not. In times of crisis, it is our best and bravest that step forward, risking it all, to come to the defense of our Nation. The honorable service of each of these nine brothers epitomizes the story of our Nation's veterans.

Eugene was a machine gunner in Italy in the Second World War, where he was awarded the Purple Heart. Harold served in the Philippines, where he earned two battle stars. Edward served in the Pacific with the Navy, Donald served in Germany at the peak of the Cold War, Gerald worked with the atomic bomb program here in the U.S. Lyle was a rifle instructor helping to train the next generation of our Nation's servicemembers, and Spike served in the Air Force Medical Service Corps in Japan.

From World War II through the Korean conflict and the Cold War, for 15 years running, at least one of these nine men could be found in uniform, serving their country in the Army, in the Navy, and in the Air Force. It is truly a remarkable story. We owe a deep debt of gratitude to them and to all of our veterans.

Years ago our forefathers founded this country with a vision of freedom for all. It was that vision that inspired the Lothspeich brothers to leave Park River, ND, to travel to Italy, Germany, Japan and the Philippines in defense of this great land. We honor them, and we honor all of our brave veterans and all of those who serve our country in uniform today. Without selfless service by those like the Lothspeichs, we simply would not have the freedoms we hold most dear.•

CONGRATULATING RICKEY HENDERSON

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in congratulating Rickey Henderson on his induction into the National Baseball Hall of Fame on July 26, 2009. During a remarkable 25-year career, Rickey Henderson's keen batting eye and unique combination of speed and power earned him the recognition as one of the greatest leadoff hitters in the game's long and storied history.

Born on Christmas day in 1958, Rickey Henderson and his family moved to Oakland, CA, when he was 2 years old. He was a standout athlete at Oakland Technical High School, where he excelled at basketball, baseball and football. Though his exploits on the gridiron as an All-American running back earned him dozens of scholarship offers, Rickey chose to pursue a professional baseball career and follow his dream to don the green and gold of his hometown Oakland Athletics.

Rickey Henderson made his major debut on June 24, 1979. Over the course of the next 25 seasons, he would compile one of the most impressive resumes in baseball history. In a game which defines greatness by statistics, Rickey Henderson's name can be found at or near the top of some of the more hallowed records in baseball history. The 10-time All Star retired as the all-time leader in career walks and holds the career records for runs scored and stolen bases as well as the single-season stolen base record. The 8 stolen bases that he amassed during his Most Valuable Player performance in the 1989 American League Championship Series remains the record for most stolen bases in a single postseason series. A year after spearheading the Oakland A's 1989 World Series title, Rickey was named the American League Most Valuable Player in 1990.

Rickey Henderson's induction into the National Baseball Hall of Fame will see him join Joe Morgan and Frank Robinson as a legend of the game who honed his skills and love for America's pastime during his formative years in Oakland. During three separate stints with his hometown team, Rickey established a bond with generations of loyal Oakland A's fans that remains as strong today as when Rickey stole 130 bases in 1982. Speaking after his election into the Hall of Fame, he said that, ''in my eyes, I wanted to see the fans in Oakland enjoy the game as much as I enjoyed it . . . playing in front of friends and family there gave me a little bit more of a boost. It helped me out in my career, and I was proud to go out there and represent the Oakland area.'' Judging from his achievements on the field and his devotion to the fans, it is clear to see why Rickey Henderson is one of the most beloved sports figures in the bay area and a worthy exemplar of the rich history of major league baseball in Oakland.

As his teammates and fans would attest, Rickey Henderson is a deserving inductee into the National Baseball Hall of Fame. Throughout his career in baseball, Rickey has consistently achieved excellence on the field and conducted himself with integrity and character off the field.

I congratulate Rickey Henderson on his induction in the National Baseball Hall of Fame, and wish him continued success in his future endeavors.•

50TH ANNIVERSARY OF THE SISTER CITY RELATIONSHIP

• Mr. INOUYE. Mr. President, today I would like to recognize the 50th anniversary of the sister city relationship between the city and county of Honolulu and the city of Hiroshima.

Mr. President, 1959 was an eventful and significant year in history. Not only was Hawaii admitted into the Union as the 50th State, but on May 19, 1959, the city and county of Honolulu Council passed a resolution inviting the city of Hiroshima into a sister city agreement. Established by former U.S. President Dwight Eisenhower, the ''People to People'' program was to promote peace and mutual understanding between citizens of different countries. Many of Hawaii's residents were of Japanese ancestry or were originally from Hiroshima. With this in

mind, the Honolulu Council thought a relationship between Honolulu and Hiroshima would be a fitting one, brought together through similarities and a resonance of cultural familiarity. This ''sister city'' agreement holds special significance for me and my family, as I was born in Honolulu and my maternal grandparents were from the Hiroshima Prefecture.

Fifty years later, this relationship, as well as the overall United States—Japan relationship, has formed into an enduring partnership of nations. This valued alliance has matured through the years, and it is my privilege to serve as honorary chairman of the 50th anniversary committee for the sister city relationship. I ask my colleagues to join me in recognition of this momentous occasion.●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS, AS RECEIVED DURING ADJOURNMENT OF THE SENATE ON JUNE 12, 2009—PM 23

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus are to continue in effect beyond June 16, 2009.

Despite some positive developments during the past year, including the release of internationally recognized political prisoners, the actions and policies of certain members of the Government of Belarus and other persons that have undermined democratic processes or institutions, committed human rights abuses related to political repression, and engaged in public corruption pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus.

BARACK OBAMA.

THE WHITE HOUSE, *June 12, 2009.*

MESSAGE FROM THE HOUSE

At 1:53 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. 1687. An act to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the ''Ralph Regula Federal Building and United States Courthouse''.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 125E) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 40. A joint resolution to honor the achievements and contributions of Native Americans to the United States, and for other purposes.

The enrolled joint resolution was subsequently signed by the Acting President pro tempore (Mr. REID).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1687. An act to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the ''Ralph Regula Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

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–1955. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''South American Cactus Moth; Quarantine and Regulation'' (Docket No. APHIS-2006-0153) received in the Office of the President of the Senate on June 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1956. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Norman R. Seip, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1957. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General John L. Hudson, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1958. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Frances C. Wilson, United States Marine Corps, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1959. A communication from the Chief, Congressional Inquiry Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report relative to a final decision on the public-private competition affecting the Central Heat Plant Function, 341st Space Wing, Malmstrom Air Force Base, Montana on May 21, 2009; to the Committee on Armed Services.

EC–1960. A communication from the General Counsel of the Department of Defense, transmitting, a report on proposed legislation entitled ''Extension of Temporary, Limited Authority to Use Operation and Maintenance Funds for Contingency Construction Projects Outside the United States''; to the Committee on Armed Services.

EC–1961. A communication from the General Counsel of the Department of Defense, transmitting, a report on proposed legislation entitled ''Travel and Transportation Allowances for Designated Individuals of Wounded, Ill, or Injured Members for Duration of Inpatient Treatment''; to the Committee on Armed Services.

EC–1962. A communication from the General Counsel of the Department of Defense, transmitting, a report on proposed legislation entitled ''Exemption from Federal Advisory Committee Act for Combatant Command Advisory Bodies that Include Foreign Government or Foreign Military Members''; to the Committee on Armed Services.

EC–1963. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the annual Developing Countries Combined Exercise Program report of expenditures for Fiscal Year 2008; to the Committee on Armed Services.

EC–1964. A communication from the Commissioners of the Commission on Wartime Contracting in Iraq and Afghanistan, transmitting, pursuant to law, the Commission's Interim Report to Congress; to the Committee on Armed Services.

EC–1965. A communication from the Assistant Director for Policy, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Final Rule Amending 31 CFR Part 538 to Expand the Scope of the Authorization for Sudanese Diplomatic Missions in the United States'' received in the Office of the President of the Senate on June 8, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–1966. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fair Credit Reporting Affiliate Marketing Regulations; Identity Theft Red Flags and Address Discrepancies under the Fair and Accurate Credit Transactions Act of 2003'' (RIN1550-AC30) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–1967. A communication from the General Counsel of the Department of Defense, transmitting, the report of a legislative proposal relative to the National Defense Authorization Bill for Fiscal Year 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–1968. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, a report entitled

''Federal Reserve System Monthly Report on Credit and Liquidity Programs and the Balance Sheet''; to the Committee on Banking, Housing, and Urban Affairs.

EC–1969. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier 1 Issue: I.R.C. Section 118 Abuse Directive Number 8'' (LMSB–4–0509–130) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Finance.

EC–1970. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Cox v. Commissioner, 514 F.3d 1119 (10th Cir. 2008), rev'g 126 T.C.237 (2006)'' (AOD2009–22) received in the Office of the President of the Senate on June 11, 2009; to the Committee on Finance.

EC–1971. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Under Section 409A(a)(2)(A)(v) on certain transactions pursuant to the EESA of 2008'' (Notice 2009–49) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Finance.

EC–1972. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier 1 Issue: I.R.C. Section 118 Abuse Directive Number 7'' (LMSB–4–0509–023) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Finance.

EC–1973. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Nonbusiness Energy Property Credit'' (Notice 2009–53) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Finance.

EC–1974. A communication from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Electric Reliability Organization Interpretations of Specific Requirements of Frequency Response and Bias and Voltage and Reactive Control Reliability Standards'' (Docket No. RM08–16–000) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Energy and Natural Resources.

EC–1975. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Diego Air Pollution Control District'' (FRL 8906–1) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Environment and Public Works.

EC–1976. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''International Air Pollution Prevention (IAPP) Certificates'' ((RIN1625–AB31)(Docket No. USCG–2008–0014)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Environment and Public Works.

EC–1977. A communication from the Deputy Chief of the Regulatory Management Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Removing References to Filing Locations and Obsolete References to Legacy Immigration and Naturalization Service; Adding a Provision to Facilitate the Expansion of the Use of Approved Electronic Equivalents of Paper Forms'' (RIN1615–AB56) received in the Office of the President of the Senate on June 8, 2009; to the Committee on the Judiciary.

EC–1978. A communication from the Deputy Chief of Staff, National Security Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Justice Department Regulations Regarding Countries Whose Agents Do Not Qualify for the Legal Commercial Transaction Exemption Provided in 18 U.S.C. 951(d)(4)'' (AG Order No. 3018–2008) received in the Office of the President of the Senate on June 10, 2009; to the Committee on the Judiciary.

EC–1979. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Tapentadol into Schedule II'' (Docket Number DEA-319P) received in the Office of the President of the Senate on June 9, 2009; to the Committee on the Judiciary.

EC–1980. A communication from the Acting Administrator, U.S. Agency for International Development, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2008, through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1981. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2008, through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1982. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2008, through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1983. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–78, ''Transportation Infrastructure Improvements GARVEE Bond Financing Temporary Act of 2009''; to the Committee on Homeland Security and Governmental Affairs.

EC–1984. A communication from the Secretary of the Department of the Treasury, transmitting, pursuant to law, the Semiannual Reports from the Office of the Treasury Inspector General and the Treasury Inspector General for Tax Administration for the period from October 1, 2008, through March 31, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1985. 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 ''Pension Management Center Manager'' (RIN2900–AN22) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Veterans' Affairs.

EC–1986. 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 ''Severance Pay, Separation Pay, and Special Separation Benefits'' (RIN2900–AN25) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Veterans' Affairs.

EC–1987. 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 ''Servicemembers' Group Life Insurance Traumatic Injury Protection Program'' (RIN2900–AN00) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Veterans' Affairs.

EC–1988. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sea World Fourth of July Fireworks Display; Mission Bay, San Diego, California'' ((RIN1625–AA00)(Docket No. USG–2009–0103)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1989. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sea World Memorial Day Fireworks; Mission Bay, San Diego, California'' ((RIN1625–AA00)(Docket No. USG–2009–0625)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1990. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Mission Bay Yacht Club Fourth of July Fireworks; Mission Bay, San Diego, California'' ((RIN1625–AA00)(Docket No. USG–2009–0124)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1991. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Big Bay Fourth of July Fireworks; San Diego, California'' ((RIN1625–AA00)(Docket No. USG–2009–0123)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1992. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Ocean Beach Fourth of July Fireworks; Pacific Ocean, San Diego, California'' ((RIN1625–AA00)(Docket No. USG–2009–0122)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1993. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Coronado Fourth of July Fireworks; San Diego Bay, San Diego, California'' ((RIN1625–AA00)(Docket No. USG–2009–0120)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1994. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Ocean City Air Show, Atlantic Ocean, Ocean City, Maryland'' ((RIN1625–AA00)(Docket No. USG–2009–0064)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1995. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Underwater Object, Massachusetts Bay, Massachussetts'' ((RIN1625–

AA00)(Docket No. USG–2008–1272)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1996. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Dutch Shoe Regatta; San Diego Harbor, San Diego, California'' ((RIN1625–AA00)(Docket No. USG–2008–1253)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1997. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Patuxent River, Patuxent River, Maryland'' ((RIN1625–AA08)(Docket No. USG–2009–0107)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1998. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District'' ((RIN1625–AA08)(Docket No. USG–2009–0106)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1999. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Catcher Vessels in the Gulf of Alaska'' (RIN0648–XP21) received in the Office of the President of the Senate on June 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2000. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish, Pacific Ocean Perch, and Pelagic Shelf Rockfish for Catcher Vessels Participating in the Limited Access Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XP22) received in the Office of the President of the Senate on June 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2001. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Catcher Processors in the Gulf of Alaska'' (RIN0648–XP23) received in the Office of the President of the Senate on June 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2002. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by American Fisheries Act Catcher Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XP29) received in the Office of the President of the Senate on June 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2003. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; Crustacean Fisheries; Deep-water Shrimp'' (RIN0648–AV29) received in the Office of the President of the Senate on June 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2004. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program; Amendment 27'' (RIN0648–AW73) received in the Office of the President of the Senate on June 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2005. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Refugio, Texas'' ((RIN2120–AA66)(Docket No. FAA–2009–0241)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2006. A communication from the Program Analyst, National Highway Traffic Safety Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Roof Crush Resistance; Phase-in Reporting Requirements'' (RIN2127–AG51) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2007. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Miscellaneous Revisions of the Procedures for Handling Petitions for Emergency Waiver of Safety Regulations and the Procedures for Disqualifying Individuals from Performing Safety-Sensitive Functions'' ((RIN2130–AC02)(Docket No. FRA–2009–0006; Notice No.1)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2008. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt & Whitney (PW) JT9D-7R4 Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. FAA–2006–23742)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2009. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2009–10–02)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC–2010. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; 328 Support Services GmbH Dornier Model 328–100 and –300 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2009–0419)) received in the Office of the President of the Senate on June 8, 2009; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 685. A bill to require new vessels for carrying oil fuel to have double hulls, and for other purposes (Rept. No. 111–26).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND:

S. 1258. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and chapter 89 of title 5, United States Code, to require coverage for the treatment of infertility; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KYL (for himself, Mr. MCCONNELL, Mr. ROBERTS, and Mr. CRAPO):

S. 1259. A bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself and Mr. GRAHAM):

S. 1260. A bill to provide that certain photographic records relating to the treatment of any individual engaged, captured, or detained after September 11, 2001, by the Armed Forces of the United States in operations outside the United States shall not be subject to disclosure under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); to the Committee on the Judiciary.

By Mr. AKAKA (for himself, Mr. VOINOVICH, Mr. LEAHY, Mr. TESTER, Mr. BAUCUS, and Mr. CARPER):

S. 1261. A bill to repeal title II of the REAL ID Act of 2005 and amend title II of the Homeland Security Act of 2002 to better protect the security, confidentiality, and integrity of personally identifiable information collected by States when issuing driver's licenses and identification documents, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CANTWELL:

S. 1262. A bill to amend title VII of the Public Health Service Act and titles XVIII and XIX of the Social Security Act to provide additional resources for primary care services, to create new payment models for services under Medicare, to expand provision of non-institutionally-based long-term services, and for other purposes.

By Mr. WARNER:

S. 1263. A bill to amend title XVIII of the Social Security Act to provide for advanced illness care management services for Medicare beneficiaries, and for other purposes; to the Committee on Finance.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 1264. A bill to require the Secretary of the Interior to assess the irrigation infrastructure of the Pine River Indian Irrigation Project in the State of Colorado and provide grants to, and enter into cooperative agreements with, the Southern Ute Indian tribe to assess, repair, rehabilitate, or reconstruct

existing infrastructure, and for other purposes; to the Committee on Indian Affairs.

By Mr. CORNYN (for himself, Mr. BEGICH, and Mr. VITTER):

S. 1265. A bill to amend the National Voter Registration Act of 1993 to provide members of the Armed Forces and their family members equal access to voter registration assistance, and for other purposes; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR (for herself, Mr. WARNER, and Mrs. LINCOLN):

S. 1266. 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 Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DEMINT (for himself, Mr. BARRASSO, Mr. BROWNBACK, Mr. BUNNING, Mr. BYRD, Mr. CRAPO, Mr. ENZI, Mr. INHOFE, Mr. THUNE, and Mr. WICKER):

S. Con. Res. 27. A concurrent resolution directing the Architect of the Capitol to engrave the Pledge of Allegiance to the Flag and the National Motto of ''In God we trust'' in the Capitol Visitor Center; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 254

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor 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. 405

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 423

At the request of Mr. AKAKA, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 511

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) 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. 547

At the request of Mr. BINGAMAN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 547, a bill to amend title XIX of the Social Security Act to reduce the costs of prescription drugs for enrollees of Medicaid managed care organizations by extending the discounts offered under fee-for-service Medicaid to such organizations.

S. 572

At the request of Mr. WEBB, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 572, a bill to provide for the issuance of a ''forever stamp'' to honor the sacrifices of the brave men and women of the armed forces who have been awarded the Purple Heart.

S. 624

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 645

At the request of Mrs. LINCOLN, the name of the Senator from Alaska (Ms. MURKOWSKI) 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. 649

At the request of Mr. KERRY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 649, a bill to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Idaho (Mr. RISCH) 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. 654

At the request of Mr. BUNNING, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 769

At the request of Mrs. LINCOLN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 769, a bill to amend title XVIII of the Social Security Act to improve access to, and increase utilization of, bone mass measurement benefits under the Medicare part B program.

S. 801

At the request of Mr. AKAKA, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 801, a bill to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers, and for other purposes.

S. 827

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 827, a bill to establish a program to reunite bondholders with matured unredeemed United States savings bonds.

S. 841

At the request of Mr. KERRY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 879

At the request of Ms. COLLINS, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 879, a bill to amend the Homeland Security Act of 2002 to provide immunity for reports of suspected terrorist activity or suspicious behavior and response.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 950

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Ms. CANTWELL) 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. 979

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor 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. 1019

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1019, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1023

At the request of Mr. DORGAN, the names of the Senator from Connecticut (Mr. DODD), the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. MERKLEY) 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 name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor 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. 1066

At the request of Mr. SCHUMER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1066, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1091

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1091, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 1157

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1157, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 1174

At the request of Ms. CANTWELL, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1174, a bill to amend the Public Health Service Act and the Social Security Act to increase the number of primary care physicians and primary care providers and to improve patient access to primary care services, and for other services.

S. 1214

At the request of Mr. LIEBERMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1214, a bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes.

S. 1233

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1233, a bill to reauthorize and improve the SBIR and STTR programs and for other purposes.

S. 1242

At the request of Mr. THUNE, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 1242, a bill to prohibit the Federal Government from holding ownership interests, and for other purposes.

S. 1253

At the request of Mr. CORKER, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1253, a bill to address reimbursement of certain costs to automobile dealers.

S.J. RES. 15

At the request of Mr. VITTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor 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.

S. CON. RES. 11

At the request of Ms. COLLINS, the names of the Senator from Virginia (Mr. WARNER), the Senator from North Dakota (Mr. CONRAD), the Senator from Vermont (Mr. LEAHY), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. Con. Res. 11, a concurrent resolution condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes.

S. CON. RES. 26

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. Con. Res. 26, a concurrent resolution apologizing for the enslavement and racial segregation of African Americans.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KYL (for himself, Mr. MCCONNELL, Mr. ROBERTS, and Mr. CRAPO):

S. 1259. A bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response; to the Committee on Health, Education, Labor, and Pensions.

Mr. KYL. Mr. President, I wish to talk about a bill Senator MCCONNELL and I introduced today. I think a companion bill will also be introduced by some of the leadership in the House of Representatives. The number of the bill is S. 1259, and this bill is called the PATIENTS Act—''patient'' as in doctor-patient. The idea is to focus on health care as it relates to patients.

Health care reform should be patient centered. Nothing should come between the physician and the patient. We are concerned there is something being done that we need to stop because it could, in fact, insert government bureaucracies between the patient and the physician. What has happened is that in the stimulus bill, the Congress appropriated $1.1 billion for something called comparative effectiveness research. Comparative effectiveness research has been used for years by physicians and hospitals. Medical schools do research, and they determine what kinds of treatments are best. For example, if you have two different drugs for the same condition, they will do testing to see which one seems to work the best. It is called clinical trials. They do clinical research, and physicians and hospitals frequently use that research as recommended for the best way to treat a particular condition. It is not mandatory. Obviously, what is good for most patients may not be good for all patients. So it is not something that is obviously forced upon people, but it provides good information. The problem is that too many people now who are proposing health care reform want to use comparative effectiveness research to end up rationing care, to have a Federal entity or even a State entity, or I should say a private entity, use that research in ways that would end up rationing care, to say some care is just too expensive for you to have, and since the government is paying for it, the government is not going to give it to you.

What our bill would do is make it clear that comparative effectiveness research cannot be used to deny coverage of either a health care service or treatment by the Secretary of HHS. And we say the Secretary of Health and Human Services because all of the various entities that might do that in the Federal Government are part of HHS. So we simply prohibit the Secretary of HHS from using this comparative effectiveness research to deny

health care service or treatment. You would think that would be uncontroversial, and I am hoping at the end of the day that it is not controversial. Nobody wants their health care rationed by somebody here in Washington, DC.

It would also require that comparative effectiveness research account for differences in the preference of patients and their treatment response to personalized medicine on something called genomics.

Genomics is the breakdown of the genes in the body into all of the different elements which make us unique as individuals. What genomics research focuses on is, what exactly is it in your gene composition, the human genome, that might be different from someone else's that means that a personalized treatment would work for you whereas it might not work for someone else. They are actually finding that they can tailor specific drugs to treat specific genes in such a way that, if they know your human composition, they can find a way to treat your condition—say, a cancer—potentially slightly differently than they would treat someone else's cancer, whether it is in the dosage of the medicine or in the specific kind of medicine or however it might be—the point being that not everyone is the same. In fact, we are all different, we are all unique, and one of the things medicine must recognize is our uniqueness as individuals and not get into the habit of saying that there is a sort of a size that fits all here, and we are going to say that if doctors will treat everyone with this particular medical device or drug or treatment, then we will pay for it, but we are not going to pay for it if they do anything else. That would not be good medicine. That inserts the government between the doctor and the patient. So we say that can't be done using this comparative effectiveness research.

By the way, the bill also makes clear that nothing prohibits the FDA Commissioner from responding to drug safety concerns under his authority. Obviously, if a drug is not safe, the FDA needs to say the drug is not safe and the Federal Government is not going to pay for it. That is obvious.

But the point is that this comparative effectiveness research should not be used by the government to deny or delay or to ration care. The reason for it is, obviously, we all want to be in charge of our own health care with our doctor. We want the choice. If a doctor says: We think you need this kind of treatment and we can get coverage for that from our insurance, we want to be able to get that care. If we cannot, we want to try to find insurance that will provide that kind of coverage for us. At least at a minimum, we want to be able to pay for the treatment, if nothing else. What we do not want is for the Federal Government to say that it does not matter if you want to pay for it, it does not matter if you are covered, you cannot get it because the Federal Government says so.

This is especially important if we have a government-run insurance company, which is what many on the other side of the aisle are talking about.

The President has said he wants a so-called public option so there will be a government insurance company that will be a place where everybody could go for coverage if they don't have it. I happen to think there are better ways of getting everybody covered. To the extent we have some people who need help in getting coverage, the government can provide that help without changing the kind of coverage all the rest of us have. Surveys show, by about two to one, Americans believe we should help people get insurance who don't have it. But by the same rough numbers, everybody says: However, you don't need to affect my coverage in order to do that. In other words, I have insurance. I like it. I want to keep it. I don't want to change. I don't want to have to pay through my insurance or through having care rationed in order to make sure somebody else gets care. The bottom line is, we all want that sacred doctor-patient relationship maintained.

One might ask: Why would we be worried that this comparative effectiveness research might be used to ration care? Is there anything in the legislation that suggests this is going to happen? As it turns out, in both the bill that came from the HELP Committee and the legislation that will be drafted in the Finance Committee, there are organizations that are going to do this research that could, in fact, ration care. In the HELP Committee bill, there is a specific provision that a government entity is going to be created to conduct this research and nothing whatsoever prohibits that entity from denying care based upon the application of rationing. The same is true under the plan talked about in the Finance Committee. There a private entity is organized, but there is nothing that would prevent the Federal Government from rationing the care that is researched by the private entity.

The HELP Committee creates what it calls the agency for health care research and quality in the Department of Health and Human Services. In the Finance Committee, it is a private research entity. But in neither case is the Federal Government prohibited from using this comparative effectiveness research in rationing care.

In addition, the HELP Committee bill establishes a medical advisory council. The medical advisory council is specifically given very broad authority to make recommendations on health benefits coverage; in other words, what is covered by the Federal Government. Obviously, when the Federal Government sets rules, insurance companies frequently apply those same kind of rules. We don't want the government, rather than patients and doctors, making decisions about how much health care or what health care one would have.

Another point I have tried to make to colleagues is, if they think the Federal Government isn't considering this, think about what some people have said in the Federal Government about allocating treatment based upon cost. No less than the Acting Director of the National Institutes of Health, Raynard Kington, announced that the NIH could use this stimulus money, money in the so-called stimulus bill that pays for comparative effectiveness research, to ration care just as is done in other countries. The NIH released a list of research topics and called for the inclusion of rigorous cost effectiveness analysis because ''cost effectiveness research will provide accurate and objective information to guide future policies that support the allocation of health resources for the treatment of acute and chronic diseases.'' ''Allocation of resources'' is a euphemism for rationing of health care. Similar statements have been made by Larry Summers. Frankly, the President himself has talked about this, not in those specific terms, but in a recent interview with the New York Times he said:

> What I think government can do effectively is to be an honest broker in assessing and evaluating treatment options.

If the government is going to be a broker in treatment options, that also is a euphemism for deciding what it is going to pay for and what it will not. In other words, what one can and cannot get.

When a former Senator and at one point candidate for HHS Secretary talked about this, he acknowledged in a book he wrote that doctors and patients might resent any encroachment on their ability to use certain treatments, but he called for the same kind of body in his book that would, in effect, allocate treatments based upon this kind of cost research.

There are many others who have spoken about it as well. We know from experience that this hasn't worked out so well in countries that have tried it such as Great Britain and Canada. In fact, I will quote one other individual who has talked about this, a professor at the Harvard Business School. Regina Herzlinger said that the comparative effectiveness research in the stimulus bill could easily morph into what she called ''an instrument of health care rationing by the federal government.''

There are comparisons to what is being done in Great Britain and other European countries and Canada; ironically, at a time when those countries are actually turning away from the federal monopoly or the national monopoly because of the fact that it has resulted in rationing of care that the citizens of those countries don't like.

A former head of the American Medical Association, which has endorsed the legislation Senator MCCONNELL and I are introducing, said in an op-ed in the Chicago Tribune today, talking about the British agency, for which, ironically, the acronym is NICE:

> For example, the agency that makes these decisions in the United Kingdom determined

that we are all worth $22,750 or six months of life or $125 a day. I'm sorry. But $125 is the cost of a nice date with my wife, not the value of my life.

What he is talking about is something called quality adjusted life years which is the British definition of the value they are going to place on a life for the purpose of comparing the cost done by this cost effectiveness research to see whether the cost of the treatment outweighs the value of the life. Think about that. Let me quote from the NICE Web site. It stands for National Institute for Health and Clinical Excellence, NICE. Here is what it says on Great Britain's Web site:

With the rapid advances in modern medicine, most people accept that no publicly funded health care system, including the NHS, can possibly pay for any new medical treatment that becomes available.

If the Federal Government has a monopoly, it probably doesn't have enough money to pay for every treatment that becomes available. It goes on to say:

The enormous costs involved mean that choices have to be made.

That is why they ration care in Great Britain. It goes on:

The QALY [quality-adjusted life year] method helps us measure these factors so we can compare different treatments for the same and different conditions.

It is an idea of how much extra months or years of life of reasonable quality a person might gain as a result of the treatment.

Each drug is considered on a case-by-case basis. Generally, however, if a treatment costs more than 20,000 to 30,000 pounds per [quality-adjusted life year], then it would not be considered cost effective.

And they don't give it to you.

We have many examples of people in Great Britain who are denied care because the government has decided that the cost of the treatment is more than the quality-adjusted life year. This is adjusted for age so that the older you get, even though the treatment may cost less, you are less likely to get it because of your age. Think about that for a moment. If something costs $20,000 in the United States and you are 65 years of age and they decide that they can't afford to pay for it, is that what the United States of America is all about? Is that what our government should be telling us? Should the government have the right to say: Based on this research we have done, you can't have that treatment?

If you believe that can't happen in the United States, I think it can. It has happened in Great Britain and Canada. Our legislation says it can't. So what is the harm in adopting our legislation? That is the question I will be asking of anyone who says is it not necessary.

I want to put the question: Then what harm does it do to say that this research can't be used by the Federal Government to deny or delay treatment? I hope my colleagues will appreciate that health care is the most important thing to all of us for our families. Whatever else we may think needs to be done to reform health care, the one thing we can all agree on is, it should not result in rationing of health care for Americans. Our legislation is one step in that process. It doesn't preclude rationing of health care in other ways. But at least it says comparative effectiveness research cannot be used in order to ration care. I hope our colleagues will view this legislation as an important step we can take.

Let me give a couple examples I said I would provide. There is a fellow by the name of Rocky Fernandez, a kidney cancer patient in Britain. He was given 2 months to live when the cancer spread to his lungs. His doctor wanted to prescribe a drug called Sutent, a new drug for advanced kidney cancer, but the government said no. He and thousands of other cancer patients protested the government's decision. This is what you would have to do, I gather. The government ultimately reversed its decision and, fortunately, he was able to begin taking the drug. The British health authorities knew this wasn't the end, that as more costly life extending drugs would become available, patients would demand access to the drugs and the government would be faced with increasingly difficult decisions. So faced with a finite pot of resources, the British health authorities decided that expensive drugs like Sutent would only be approved under specific conditions: They must extend life by 3 months, and they must be used for illnesses that affect fewer than 7,000 patients a year.

Is that what we want in the United States? Before you could get a drug that would give you better quality of life or extend your life, the government is going to run through tests like this. And if it doesn't meet the test, you don't get the drug? This is the danger of a government-run system. In effect, bureaucrats in the government become health care cops. We don't want that in America.

In the reform legislation that we end up acting on, I hope we can all agree that one of the things we can do to prevent this rationing is to at least say we will do no harm. We will not allow this comparative effectiveness research to be used by the Federal Government to deny our care.

I ask unanimous consent to print in the RECORD the op-ed from the Chicago Tribune by Dr. Palmisano from which I quoted earlier.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, June 15, 2009]

REFORM MEASURES SHOULD NOT WEAKEN OUR HEALTH CARE

(By Donald J. Palmisano)

Over the past several decades, our nation has built the finest health-care system in the world. From birth to death we value and care for life. Surgeons can perform life-saving heart surgery on a child that is still in utero. Expert trauma doctors can save the life of a mother who was badly hurt in a car crash. And end-of-life specialists can provide compassionate palliative care to seniors to ensure their last days are spent in comfort.

This didn't all just magically happen. But it could all magically go away.

Swirling around us is a great debate that will decide the future of medical care in America. There are those who desire a single-payer system, although the ''single payer'' would be the 100 million Americans who pay taxes. It would leave the government in charge of our medical choices. But since single-payer advocates know the majority of Americans oppose such a system, they have decided to advance an alternative—known as the public option.

Either approach would seriously weaken the health-care system we enjoy today. The public option would cost $1.2 trillion to $1.8 trillion to set up. Is that something our nation can afford, especially considering the latest estimates that Medicare is going to be bankrupt in 10 years?

Is it the goal of some individuals to eventually wipe out all private insurance plans and house all health care under the umbrella of the federal government? These types of government-controlled systems already exist in other countries, and all have stories of patients who had to wait months to see specialists. It's common to hear of patients who were not allowed to get the treatment their doctor prescribed because a bureaucratic decision was made on the value of their life. For example, the agency that makes these decisions in the United Kingdom determined that we are all worth $22,750 for six months of life—or $125 a day. I'm sorry, but $125 is the cost of a nice date with my wife, not the value of life.

The American Medical Association, representing more than 250,000 physicians, and an organization I once led, recently came out in opposition to the proposed public plan, saying that it ''threatens to restrict patient choice'' and that it ''would likely lead to an explosion of costs that would need to be absorbed by taxpayers.''

That position comes from studying government-controlled health care elsewhere. During my year as president of the AMA, I was able to visit and see firsthand the success and failures of other health-care systems. I recall meeting with the chairman of the British Medical Association in June 2003, when he characterized his nation's single-payer health-care system as ''the stifling of innovation by excessive, intrusive audit . . . the shackling of doctors by prescribing guidelines, referral guidelines and protocols . . . the suffocation of professional responsibility by target-setting and production line values that leave little room for the professional judgment of individual doctors or the needs of individual patients.''

And what else will happen when the government asserts its control over health care? Medical creativity, discovery and innovation—the same creativity and discovery and innovation that we have relied on for generations—will dry up. Today, millions of Americans rely on statins to reduce their risk of heart attack. The new da Vinci surgical system is already revolutionizing the way surgery is performed in operating rooms across the country. And wounded veterans are being fitted with next-generation prosthetic limbs so they can walk again.

Only in America.

We must find ways to expand access to affordable health care to the uninsured. America can solve the current problems with a system that expands insurance coverage through tax credits, consumer choice and market enhancements. However, in the process of expanding care, we cannot create a weaker system for the 80 percent of Americans who are happy with their coverage. It

would be a serious mistake to have a government-controlled micromanaged medical system that would result in diminished quality of care, long waiting lines for doctors' visits and surgical care, a lack of access to emerging technologies and the virtual end to new and hopeful medical discovery. Health care shouldn't be dictated to us by a faceless bureaucrat in Washington.

A lot is at stake as the nation engages in the health-care debate. Will we have a system that puts the patient in control with the doctor as trusted adviser, or a government-run system that ultimately rations care and stifles innovation and self-determination? I hope it's the former.

Mr. KYL. We have actually seen the danger in using this kind of research for rationing of care in another context. When we created Medicare Part D, which provides drugs to seniors, we saw the danger of rationing of drugs, and so we specifically provided, in the Medicare Modernization Act, an explicit provision that says you can't use cost-effective analysis to allocate the drugs. It is prohibited there. What we should do is take that same policy and apply it to the rest of our health care, to seniors who are on Medicare and to the rest of the population, to the extent the Federal Government will be able to dictate its care. We have not provided that same protection for any other care, and that is what our legislation, the PATIENTS Act, would do.

The final thing I wish to discuss is the notion that we can have a government-run insurance plan and that somehow that will be healthy for Americans. Stop and think, a government-run option or government option would be the Federal Government making decisions about care. So while you may decide it is a lot cheaper because the Federal Government can subsidize the insurance plan, the government will actually be deciding what kind of coverage you get. This is one of the areas we are concerned about in using this comparative effectiveness research. Because clearly the so-called public option, in order to keep costs down, could end up rationing care. That is OK if it is merely an option and people figured out, wait a minute, even though it is cheaper, I don't want this. But what Lewin and Associates, a health care consulting group, says is that unfortunately, because private employers are likely to dump their employees into the government-run system, about two-thirds of the people who have insurance today, 119 million people, would end up with the government-run plan rather than the private insurance they have today. When the President says, if you like your insurance coverage, you get to keep it, I hope what he means is that we won't do anything in our legislation to make that more difficult.

But if, in fact, the predictions of consulting groups such as Lewin come true, what will happen is, employers, faced with the situation where it is much cheaper for them to insure their employees through this government-run plan, will take 119 million people and transfer them from private insurance to government insurance. At that point, you do not have any option. So the government-run plan is not like it is an option for you, unless you want to change jobs to an employer that is willing to maintain the coverage. And those are going to be few and far between. The same thing is true with the individual health care market.

The bottom line is, when people say to you: Well, if you like your coverage, you are going to be able to keep it, that is not true. Incidentally, under the bill that is being written by the Finance Committee, that is explicitly not true either. That is why we are concerned about this. Because even though you may like the insurance you have today and say: The Federal Government can't tell me what care I can get, it will not be too much longer before that may not be true. You will have the government insurance, and it will tell you what care it can give you.

When we talk about the fact that we are eager for health reform, what we are talking about is allowing people to keep their current coverage; allowing them to take their coverage with them; that is to say, it is portable when you leave one job and you go to another job, to make sure you cannot be denied care because you have a preexisting condition; and if you need financial help in getting insurance, to find a way to provide that financial help.

We believe those are better solutions to making sure everyone is insured than providing a public option. It is a little like the government taking over General Motors. The only difference is, it is one thing if the people who are now running General Motors make a mistake. It is usually not going to be a life-or-death situation. But it is a whole new ball game if the government is deciding you cannot get a particular drug or a particular kind of surgery that your doctor says you need.

The bottom line is, Washington-run health care has significant dangers in it—more than if you are going to run the insurance companies or the car companies or the banks. When you have a Medical Advisory Council, as the HELP Committee legislation provides, or a National Institute for Health and Clinical Excellence—NICE—as in Great Britain, it is anything but nice when your health care is denied to you.

What we are trying to prevent by this legislation, for the final time, is a situation where the government is in a position to tell you that you cannot have a certain drug or treatment or device your doctor has said you need because they use this comparative effectiveness research to say: Well, in your case, you are not going to live much longer anyway. It is not cost effective for us to buy that for you.

That is not the American way. As I said, it is ironic countries such as Canada and Great Britain are actually beginning to now provide private alternatives because they know they cannot take care of all their citizens, and they know there is a revolt going on in their countries about people who are not getting the care they need. So the safety valve for that is to provide an option for the private sector to actually provide for this coverage.

Why would we want to replicate their basic mistake in so-called health care reform? There are easier, less costly, and less harmful ways to do that than the legislation that is being proposed that would allow comparative effectiveness research to ration your care.

I hope my colleagues will take a look at our legislation, S. 1259. If they would like to cosponsor it, we would love to have support because when this issue gets to the floor, we will want our colleagues to weigh in and send a very strong message that comparative effectiveness research is great but it is not good if it is used to deny care or to ration care to the American people. That we have to put an absolute stop to right now, and our legislation would do that.

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. 1259

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Preserving Access to Targeted, Individualized, and Effective New Treatments and Services (PATIENTS) Act of 2009'' or the ''PATIENTS Act of 2009''.

SEC. 2. PROHIBITION ON CERTAIN USES OF DATA OBTAINED FROM COMPARATIVE EFFECTIVENESS RESEARCH; ACCOUNTING FOR PERSONALIZED MEDICINE AND DIFFERENCES IN PATIENT TREATMENT RESPONSE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services—

(1) shall not use data obtained from the conduct of comparative effectiveness research, including such research that is conducted or supported using funds appropriated under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), to deny coverage of an item or service under a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))); and

(2) shall ensure that comparative effectiveness research conducted or supported by the Federal Government accounts for factors contributing to differences in the treatment response and treatment preferences of patients, including patient-reported outcomes, genomics and personalized medicine, the unique needs of health disparity populations, and indirect patient benefits.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act or the Public Health Service Act.

Mr. AKAKA (for himself, Mr. VOINOVICH, Mr. LEAHY, Mr. TESTER, Mr. BAUCUS, and Mr. CARPER):

S. 1261. A bill to repeal title II of the REAL ID Act of 2005 and amend title II

of the Homeland Security Act of 2002 to better protect the security, confidentiality, and integrity of personally identifiable information collected by States when issuing driver's licenses and identification documents, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today I am, along with Senators VOINOVICH, LEAHY, TESTER, BAUCUS, and CARPER, introducing the Providing for Additional Security in States' Identification Act of 2009, or the PASS ID Act.

This bill represents a pragmatic approach to resolving many of the most troubling aspects of the REAL ID Act, which has been in place for the past 4 years. REAL ID was intended to implement the 9/11 Commission's recommendation for enhancing the security of drivers' licenses. I support the 9/11 Commission's recommendation, but I have been a long-time opponent of the existing REAL ID Act due to the tremendous financial burden it imposes on States and the serious privacy risks it creates.

Initially, DHS estimated the cost of implementing REAL ID to be $23 billion, of which $14 billion would be borne by the States. In the final regulations, DHS's overall cost estimate decreased to $10 billion, $4 billion of which States would have to pay. Many States are facing serious budget shortfalls and simply cannot afford this cost.

Additionally, REAL ID calls for all States to store copies of individuals' documents such as birth certificates and their photographs in databases and to provide all other State Departments of Motor Vehicles with access to that information. REAL ID does not require any privacy protection of these State databases, which would contain massive amounts of personal information. These databases could provide one-stop shopping for identity thieves and the backbone for a national identification database.

Because of these problems, the Department of Homeland Security has been forced to provide a series of extensions for compliance. All 50 States plus the District of Columbia and the territories were granted extensions until December 31, 2009. DHS may automatically grant States further extensions to May 11, 2011, if they meet certain benchmarks for compliance. Under the final regulations, complete implementation is required by December 1, 2017. Even under this drawn out timeline, it is unclear if many States will comply. Several States, including Hawaii, have passed resolutions expressing their opposition to REAL ID. Eleven States have outright rejected REAL ID, putting millions of Americans at risk of not being able to enter Federal facilities or board commercial airplanes next year if they do not meet DHS benchmarks. Americans' personal information could also be compromised if REAL ID were to fully take effect in its current form. This simply cannot be allowed to happen.

Because of my grave concerns with the REAL ID program, during the last Congress, I along with several of my colleagues introduced the Identity Security Enhancement Act, which would have repealed the REAL ID Act and replaced it with a negotiated rulemaking process that would have enhanced the security of State driver's licenses while also providing for strong privacy protections. Unfortunately, this bill did not advance, and we are now closer than ever to forcing states to ensure compliance with REAL ID.

I along with my colleagues, the Department of Homeland Security, privacy and civil liberties groups, and the National Governors Association and National Council of State Legislators—representing a broad range of views on REAL ID—have been working together to develop a bill that will address the onerous problems with REAL ID in a practical manner that can win bipartisan support. I believe that the bill we are introducing represents a pragmatic alternative to REAL ID, which will save States considerable money and address the most troubling aspects of the REAL ID Act.

The PASS ID Act does exactly what the 9/11 Commission recommended: it sets strong security standards for the issuance of identification cards and driver's licenses. What it does not do is go far beyond that recommendation by requiring the collection of Americans' personal information and storing it in a centralized repository accessible by any State government. This legislation starts with repealing the existing flawed REAL ID Act, and replaces it with a modification of the original act that peels away the most troubling aspects that add high costs without real security benefits, and implements strong new protections to protect the privacy rights of individuals.

Perhaps the most important improvement in the PASS ID Act is the removal of the mandate that States share all of their driver's license data with each of the other States. This provision created a clear risk to the privacy of all Americans' personal information and posed a great risk for identity theft and fraud. Moreover, it was this provision that raised the specter of a national database of all Americans' personal information. The PASS ID Act instead will allow States to continue to maintain their own individual databases with more stringent security requirements.

In addition, the PASS ID Act includes all of the privacy protections called for in my previous bill, the Identity Security Enhancement Act. The bill calls on the States to put procedures in place to protect information that is stored or transmitted in an electronic format. The bill also for the first time protects any machine readable data stored on identification cards and driver's licenses themselves. In particular, Social Security numbers, which are not allowed to be printed on the face of a license, would no longer be allowed to be stored in the machine readable zone, MRZ, of a license either.

Because of the ability of licenses to hold more and more electronic information, it is also important to institute important new protections for the use of the data stored on licenses. A new industry is growing up surrounding the collection and sale of data stored in MRZs for marketing purposes. Often people are not informed that their personal information is being collected and might be tracked with their purchases or sold to third parties. This bill would allow scanning of licenses to support law enforcement purposes but not for other purposes. For example, a store would be able to scan a driver's license to double check that the patron is old enough to buy alcohol, but it would not be allowed to sell the information on the card to marketers. This is an important step forward to ensure that privacy and security protections keep pace with technology, while still ensuring that the MRZ can be used for its intended purposes.

The other change that I want to point out is the clarification of Americans' right to travel on commercial aircraft and to enter Federal buildings. The current law restricts these rights by requiring a REAL ID to board commercial aircraft and to enter Federal buildings. This bill recognizes the importance of secure identification to increase the safety and security of commercial air travel and a narrower range of Federal buildings. Compliant State identification will remain the preferred method to board an aircraft, but the PASS ID Act will clarify that people cannot be denied boarding solely because they lack secure identification. The Transportation Security Administration will resolve any security concerns with people lacking a PASS ID the same way they resolve other security issues—with additional screening or other inquiries as needed. Additionally, PASS ID would narrow the secure identification requirement from all Federal buildings to only Federal facilities containing mission functions critical to homeland security, national security, or defense.

This bill does not address all of my concerns with REAL ID. Some others will be disappointed that it does not address all of their concerns. However, the reality that we face is that in less than a year, States will be required to comply with a law on the books that simply is overly burdensome and unworkable. I believe that the legislation introduced today is the best bill that can garner broad bipartisan support. It represents a strong step toward fixing the most serious shortfalls in the REAL ID Act and would introduce long-overdue, important new protections. We cannot let the perfect be the enemy of the good, especially when we are working to address a seriously flawed law already on the books.

I urge my colleagues to talk to your Governors and other State government officials, your constituents, and to privacy experts to understand just how much this legislation does to improve existing law. By taking the time to work with all stakeholders, I think that we have achieved a solution that leaves us much better off than we are today.

As always, my goal remains to ensure the privacy rights of all Americans, and I will continue to work closely with the Department of Homeland Security to ensure that privacy rights are protected fully during the implementation of PASS ID.

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. 1261

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Providing for Additional Security in States' Identification Act of 2009'' or the ''PASS ID Act''.

SEC. 2. REPEAL.

Title II of the REAL ID Act of 2005 (Division B of Public Law 109–13) is repealed.

SEC. 3. IDENTIFICATION SECURITY.

(a) IN GENERAL.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

''Subtitle E—Improved Security for Driver's Licenses and Personal Identification Cards

''SEC. 241. DEFINITIONS.

''In this subtitle:

''(1) DRIVER'S LICENSE.—The term 'driver's license' means a motor vehicle operator's license, as defined in section 30301 of title 49, United States Code.

''(2) IDENTIFICATION CARD.—The term 'identification card' means a personal identification card, as defined in section 1028(d) of title 18, United States Code, issued by a State.

''(3) MATERIALLY COMPLIANT.—A State is 'materially compliant' if the State has certified to the Secretary that the State has commenced issuing driver's licenses and identification cards that are compliant with the requirements of this subtitle.

''(4) OFFICIAL PURPOSE.—The term 'official purpose' means—

''(A) accessing Federal facilities that contain mission functions critical to homeland security, national security, or defense;

''(B) accessing nuclear power plants; or

''(C) boarding federally regulated commercial aircraft.

''(5) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(6) STATE.—The term 'State' means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''SEC. 242. MINIMUM DOCUMENT REQUIREMENTS AND ISSUANCE STANDARDS FOR FEDERAL RECOGNITION.

''(a) MINIMUM STANDARDS FOR FEDERAL USE.—

''(1) IN GENERAL.—Beginning 1 year after the date on which final regulations are issued to implement this subtitle, pursuant to section 5 of the PASS ID Act—

''(A) a Federal agency may not accept, for any official purpose, a driver's license or identification card issued by a State to any person unless the State is materially compliant; and

''(B) no person shall be denied boarding a commercial aircraft solely on the basis of failure to present a driver's license or identification card issued pursuant to this subtitle.

''(2) AGENCY ACCEPTANCE.—Beginning 6 years after the date on which final regulations are issued to implement this subtitle, pursuant to section 5 of the PASS ID Act, a Federal agency may not accept, for any official purpose, a driver's license or identification card unless the license or card complies with subsection (b).

''(3) STATE CERTIFICATIONS.—The Secretary shall determine whether a State is meeting the requirements of this section based on certifications made by the State to the Secretary. Such certifications shall be made at such times and in such manner as the Secretary, in consultation with the Secretary of Transportation, may prescribe by regulation.

''(4) CERTIFICATION OF OTHER IDENTIFICATION DOCUMENTS.—The Secretary may certify any driver's license or identification card, including an Enhanced Driver's License designated by the Secretary under section 7209 of the 9/11 Commission Implementation Act of 2004, as compliant with the requirements of this subtitle if the Secretary, after review, determines such license or card meets the requirements of this subtitle.

''(b) MINIMUM DOCUMENT REQUIREMENTS.—To meet the requirements of this section, a State shall include, at a minimum, the following information and features on each driver's license and identification card issued to a person by the State:

''(1) The person's legal name.

''(2) The person's date of birth.

''(3) The person's gender.

''(4) The person's driver's license or identification card number.

''(5) A digital photograph of the person.

''(6) The person's address of principal residence, except—

''(A) as provided for under section 827 of the Violence Against Women Act (Public Law 109–162); or

''(B) for any individual who a State determines should be exempted from the requirement under this paragraph to protect the safety or security of the applicant.

''(7) The person's signature.

''(8) A combination of security features designed to protect the physical integrity of the document, including the prevention of tampering, counterfeiting, or duplication of the document for fraudulent purposes.

''(9) A common machine-readable technology, containing the data elements available on the face of a driver's license or identification card. A person's social security number may not be included in these data elements.

''(10) A unique symbol designated by the Secretary to indicate compliance with the requirements under this section.

''(c) MINIMUM ISSUANCE STANDARDS.—

''(1) IN GENERAL.—To meet the requirements of this section, for all driver's licenses and identification cards issued under this subtitle at least 1 year after the date on which final regulations are issued to implement this subtitle, pursuant to section 5 of the PASS ID Act, a State shall require, at a minimum, presentation and validation of the following information before issuing a driver's license or identification card to a person:

''(A) A photo identity document, except that a non-photo identity document is acceptable if it includes both the person's full name and date of birth.

''(B) Documentation showing the person's date of birth.

''(C) Proof of the person's social security account number or verification that the person is not eligible for a social security account number.

''(D) Documentation showing the person's name and address of principal residence.

''(2) SPECIAL REQUIREMENTS.—

''(A) IN GENERAL.—To meet the requirements of this section, a State shall comply with the minimum standards of this paragraph.

''(B) EVIDENCE OF LAWFUL STATUS.—Before issuing a driver's license or identification card to a person, a State shall verify that the person—

''(i) is a citizen or national of the United States;

''(ii) has been granted lawful permanent residence in the United States;

''(iii) has been granted asylum or withholding of removal, or has been admitted into the United States as a refugee;

''(iv) has been granted temporary residence in the United States;

''(v) has been paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), subject to such exceptions as the Secretary, in the Secretary's unreviewable discretion, may prescribe for aliens paroled into the United States for prosecution or other categories of paroled aliens;

''(vi) is a lawful nonimmigrant in the United States;

''(vii) has a pending application for asylum or withholding of removal and has been granted employment authorization;

''(viii) has been granted temporary protected status in the United States or has a pending application for temporary protective status and has been granted employment authorization;

''(ix) has been granted deferred action status;

''(x) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States;

''(xi) has otherwise been granted employment authorization in the United States; or

''(xii) is otherwise an alien lawfully present in the United States, as determined by the Secretary in the Secretary's unreviewable discretion.

''(C) TEMPORARY DRIVER'S LICENSES AND IDENTIFICATION CARDS.—

''(i) IN GENERAL.—If a person presents evidence under any of clauses (iv) through (xii) of subparagraph (B), the State may only issue a temporary driver's license or temporary identification card to the person that is valid for a time period ending not later than the expiration date of the applicant's authorized stay in the United States or, if there is no such expiration date, for a period not to exceed 1 year. The Secretary may, in the Secretary's unreviewable discretion, authorize the issuance of temporary driver's licenses or temporary identification cards, for periods longer than 1 year, to employees of international organizations and to other nonimmigrant aliens who are authorized to remain in the United States for an indefinite period.

''(ii) DISPLAY OF EXPIRATION DATE.—A temporary driver's license or temporary identification card issued pursuant to this subparagraph shall clearly state the date on which it expires.

''(iii) RENEWAL.—A temporary driver's license or temporary identification card issued pursuant to this subparagraph may be renewed only upon verification of the applicant's current lawful status.

''(3) VALIDATION OF DOCUMENTS.—To meet the requirements of this section, a State—

''(A) shall not accept any foreign document, other than an official passport, to satisfy a requirement of paragraph (1) or (2); and

''(B) not later than 1 year after the date on which final regulations are issued to implement this subtitle, pursuant to section 5 of the PASS ID Act, shall enter into a memorandum of understanding with the Secretary to routinely utilize the automated system known as Systematic Alien Verification for Entitlements established under section 121 of the Immigration Reform and Control Act of 1986 (Public Law 99–603), to verify the legal presence status of a person, other than a United States citizen or national, who is applying for a driver's license or identification card.

''(d) OTHER REQUIREMENTS.—To meet the requirements of this section, a State shall adopt the following practices in the issuance of driver's licenses and identification cards:

''(1)(A) Employ technology to capture digital images of identity source documents so that the images can be retained in electronic storage in a transferrable format for at least as long as the applicable driver's license or identification card is valid; or

''(B) retain paper copies of source documents for at least as long as the applicable driver's license or identification card is valid.

''(2) Subject each person who submits an application for a driver's license or identification card to mandatory facial image capture.

''(3) Establish an effective procedure to confirm or verify a renewing applicant's information.

''(4) Confirm with the Social Security Administration a social security account number presented by a person using the full social security account number. In the event that a social security account number is already registered to or associated with another person to which any State has issued a driver's license or identification card, the State may use any appropriate procedures to resolve nonmatches.

''(5) Establish an effective procedure to confirm that a person submitting an application for a driver's license or identification card is terminating or has terminated any driver's license or identification card issued pursuant to this section to such person by a State.

''(6) Provide for the physical security of locations where driver's licenses and identification cards are produced and the security of document materials and papers from which driver's licenses and identification cards are produced.

''(7) Establish appropriate administrative and physical safeguards to protect the security, confidentiality, and integrity of personally identifiable information collected and maintained at locations at which driver's licenses or identification documents are produced or stored, including—

''(A) procedures to prevent the unauthorized access to, or use of, personally identifiable information;

''(B) public notice of security and privacy policies, including the use, storage, access to, and sharing of personally identifiable information;

''(C) the establishment of a process through which individuals may access, amend, and correct, as determined appropriate by the State, their own personally identifiable information.

''(8) Subject all persons authorized to manufacture or produce driver's licenses and identification cards to appropriate security clearance requirements.

''(9) Establish fraudulent document recognition and document validation training programs for appropriate employees engaged in the issuance of driver's licenses and identification cards.

''(10) Limit the period of validity of all driver's licenses and identification cards that are not temporary to a period that does not exceed 8 years.

''(e) EXCEPTIONS PROCESS.—

''(1) IN GENERAL.—States shall establish an exceptions process to reasonably accommodate persons who, for extraordinary reasons beyond their control, are unable to present the necessary documents listed in subsection (c)(1).

''(2) ALTERNATIVE DOCUMENTS.—Alternative documents accepted under an exceptions process established pursuant to paragraph (1) may not be used to demonstrate lawful presence under subsection (c)(2) unless such documents establish that the person is a citizen or national of the United States.

''(3) REPORT.—States shall include a report on the use of exceptions made under this subsection, which shall not include any personally identifiable information, as a component of the certification required under subsection (a)(3).

''(f) USE OF FEDERAL SYSTEMS.—States shall not be required to pay fees or other costs associated with the use of the automated systems known as Systematic Alien Verification for Entitlements and Social Security On-Line Verification, or any other Federal electronic system, in connection with the issuance of driver's licenses or identification cards, in accordance with this subtitle.

''(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a State from issuing driver's licenses and identification cards that do not comply with the requirements of this section.

''SEC. 243. USE OF FALSE DRIVER'S LICENSE AT AIRPORTS.

''(a) IN GENERAL.—The Secretary shall enter, into the appropriate aviation security screening database, appropriate information regarding any person convicted of using a false driver's license at an airport.

''(b) DEFINITIONS.—In this section:

''(1) AIRPORT.—The term 'airport' has the meaning given such term under section 40102 of title 49, United States Code.

''(2) FALSE.—The term 'false' has the meaning given such term under section 1028(d) of title 18, United States Code.

''SEC. 244. GRANTS TO STATES.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established a State Driver's License Enhancement Grant Program to award grants to assist States in conforming to the minimum standards set forth in this subtitle.

''(2) DISTRIBUTION OF GRANTS.—The Secretary, through the Administrator of the Federal Emergency Management Agency, shall distribute grants awarded under this section to States that submit an application as follows:

''(A) PROPORTIONAL ALLOCATION.—Not less than ⅔ of the amounts appropriated for grants under this section shall be allocated to each State in the ratio that—

''(i) the number of driver's licenses and identification cards issued by such State in the most recently ended calendar year; bears to

''(ii) the number of driver's licenses and identifications cards issued by all States in the most recently ended calendar year.

''(B) REMAINING ALLOCATION.—The Secretary may allocate to States any amounts appropriated for grants under this section that are not allocated under subparagraph (A) in such manner as, in the Secretary's discretion, will most effectively assist in achieving the goals of this subtitle.

''(C) MINIMUM ALLOCATION.—In allocating funds under this section, the Secretary shall ensure that for each fiscal year—

''(i) except as provided under clause (ii), each State receives not less than an amount equal to 0.35 percent of the total funds appropriated for grants under this section for that fiscal year; and

''(ii) American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands each receive not less than an amount equal to 0.08 percent of the total funds appropriated for grants under this section for that fiscal year.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary, for each of the fiscal years 2010 through 2015, such sums as may be necessary to carry out this section.

''SEC. 245. STATE-TO-STATE ONE DRIVER, ONE LICENSE DEMONSTRATION PROJECT.

''(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Transportation, shall establish a State-to-State 1 driver, 1 license demonstration project.

''(b) PURPOSE.—The demonstration project established under this section shall include an evaluation of the feasibility of establishing an electronic system to verify that an applicant for a driver's license or identification card issued in accordance with this subtitle does not retain a driver's license or identification card issued in accordance with this subtitle by another State.

''(c) REQUIREMENTS.—The demonstration project shall include a review of—

''(1) the costs affiliated with establishing and maintaining an electronic records system;

''(2) the security and privacy measures necessary to protect the integrity and physical security of driver's licenses; and

''(3) the appropriate governance structure to ensure effective management of the electronic records system, including preventing the unauthorized use of information in the system, and ensuring the security and confidentiality of personally identifiable information.

''(d) SAVINGS PROVISION.—Nothing in this section may be construed to—

''(1) authorize the creation of a national database of driver's license information; or

''(2) authorize States direct access to the motor vehicle database of another State.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for each of the fiscal years 2010 through 2012 such sums as may be necessary to carry out this section.

''SEC. 246. AUTHORITY.

''(a) PARTICIPATION OF SECRETARY OF TRANSPORTATION AND STATES.—All authority to issue regulations, set standards, and issue grants under this subtitle shall be carried out by the Secretary, in consultation with the Secretary of Transportation and the States.

''(b) EXTENSIONS OF DEADLINES.—The Secretary may grant to a State an extension of time to meet the requirements of section 242(a)(1) if the State provides adequate justification for noncompliance.

''SEC. 247. LIMITATION ON STATUTORY CONSTRUCTION.

''Nothing in this subtitle may be construed to—

''(1) affect the authorities or responsibilities of the Secretary of Transportation or the States under chapter 303 of title 49, United States Code; or

''(2) preempt State privacy laws that are more protective of personal privacy than the requirements of this subtitle or the standards or regulations promulgated to implement this subtitle, provided that such State laws are consistent with this subtitle and

the regulations prescribed pursuant to this subtitle.''.

(b) TECHNICAL AMENDMENT.—Section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296) is amended by inserting after the item relating to section 235 the following:

''Subtitle E—Improved Security for Driver's Licenses and Personal Identification Cards

''Sec. 241. Definitions.
''Sec. 242. Minimum document requirements and issuance standards for Federal recognition.
''Sec. 243. Use of false driver's license at airports.
''Sec. 244. Grants to States.
''Sec. 245. State-to-State one driver, one license demonstration project.
''Sec. 246. Authority.
''Sec. 247. Limitation on statutory construction.''.

SEC. 4. USE OF DRIVER'S LICENSE OR IDENTIFICATION CARD DATA BY PRIVATE ENTITIES.

Chapter 123 of title 18, United States Code is amended—

(1) in section 2722, by adding at the end the following:

''(c) COPYING INFORMATION FROM DRIVERS LICENSES OR IDENTIFICATION CARDS.—It shall be unlawful for any person, knowingly and without lawful authority—

''(1) to scan the information contained in the machine readable component of a driver's license or identification card; or

''(2)(A) to resell, share or trade that information with any other third parties;

''(B) track the use of a driver's license or identification card; or

''(C) store the information collected.'';

(2) in section 2724(a), by inserting ''driver's license, or identification card,'' after ''motor vehicle record,'';

(3) in section 2725—

(A) by redesignating paragraph (2) as paragraph (6), and adding ''and'' at the end;

(B) by redesignating paragraph (3) as paragraph (7);

(C) by redesignating paragraph (4) as paragraph (3), and striking ''and'' at the end;

(D) by redesignating paragraph (5) as paragraph (2), and striking the period at the end and inserting a semicolon;

(E) by redesignating paragraph (1) as paragraph (5);

(F) by inserting before paragraph (2), as redesignated, the following:

''(1) 'driver's license' means a motor vehicle operator's license, as defined in section 30301 of title 49, United States Code;''; and

(G) by inserting after paragraph (3), as redesignated, the following:

''(4) 'identification card' means a personal identification card, as defined in section 1028(d) of title 18, United States Code, issued by a State.''.

SEC. 5. RULEMAKING.

(a) IN GENERAL.—Not later than 9 months after the date of the enactment of this Act, the Secretary, after providing notice and an opportunity for public comment shall issue final regulations to implement subtitle E of title II of the Homeland Security Act of 2002, as added by section 3.

(b) CONTENT.—The regulations issued pursuant to subsection (a)—

(1) shall include procedures and requirements that—

(A) protect the privacy rights of individuals who apply for and hold a driver's license or personal identification card;

(B) protect the constitutional rights and civil liberties of individuals who apply for and hold a driver's licenses or personal identification card;

(2) shall include procedures to protect any personally identifiable information electronically transmitted;

(3) shall establish a process through which individuals may access, amend, and correct, as determined appropriate by the Secretary, their own personally identifiable information in any Federal databases used in complying with this Act;

(4) may not require a single design or numbering system to which driver's licenses or personal identification cards issued by all States shall conform; and

(5) shall only apply to driver's licenses or identification cards issued pursuant to subtitle E of title II of the Homeland Security Act of 2002, as added by section 3.

SEC. 6. SAVINGS PROVISION.

(a) EFFECT OF REPEAL.—Nothing in section 2 shall affect the amendment or the repeal set forth in sections 203(a) and 206 of the REAL ID Act of 2005.

(b) EFFECT OF COMPLETED ADMINISTRATIVE ACTIONS.—Completed personnel actions, agreements, grants, and contracts undertaken by an agency—

(1) shall not be affected by any provision of this Act, or any amendment made by this Act; and

(2) shall continue in effect according to their terms until amended, modified, superseded, terminated, set aside, or revoked by an officer of the United States, by a court of competent jurisdiction, or by operation of law.

By Ms. CANTWELL:

S. 1262. A bill to amend title VII of the Public Health Service Act and titles XVIII and XIX of the Social Security Act to provide additional resources for primary care services, to create new payment models for services under Medicare, to expand provision of non-institutionally-based long-term services, and for other purposes; to the Committee on Finance.

Ms. CANTWELL. Mr. President, I rise today to introduce the Medical Efficiency and Delivery Improvement of Care Act, MEDIC, a bill which provides common-sense solutions to many of the most critical problems besetting our health care system. As we embark on reforming health care in America, we are faced with restructuring a system as complex as it is important—a system which includes not only doctors and patients but medical schools, nursing homes, hospitals and community health centers. While every piece of the health care puzzle requires individual attention, one common thread connects them all: the need for improved efficiency among providers though increased access to primary care physicians. They are the ones who can provide coordinated care for patients, leading to better quality and a more efficient system. That is why I am introducing this bill as a vehicle for proposals which increase the efficiency and coordination across the health care spectrum to improve health and save money.

In my State of Washington doctors and hospitals provide some of the a highest quality and most cost-efficient care in the nation. However, instead of rewarding our State for reining in unnecessary costs and improving the health of patients, the current system actually penalizes them. Under the current fee-for-service structure we have today, health care providers are rewarded for maximizing the number of services they provide rather than focusing primarily on health outcomes. This provides a financial disincentive to efficient care because such efficiencies actually result in decreased payments. My bill addresses this issue by linking physician payments to the quality of care they provide, not the amount of services they perform. At the same time, the bill recognizes the need to allow for the differences in the cost of doing business across different regions. The resulting policy creates a fair payment system that increases the overall quality of care while resulting in a savings of $55 billion a year off the Medicare rolls.

The backbone of our health care system is comprised of the men and women who devote their lives to the practice of medicine. While our nation's physician workforce is the best in the world, current policies have left our primary care network woefully lacking, leaving many families—especially those in rural areas—without access to basic care. As few as 2 percent of medical students opt for careers in family medicine and general surgery primarily due to the low pay associated with such specialties. Therefore, a fundamental goal of reform must be expanding the primary care workforce. My legislation includes provisions which provide financial incentives for medical students and teaching hospitals—such as interest-free loans and scholarships for students going into primary care, and increased funding for small and rural hospitals to improve their primary care residency programs. The bill also calls for increasing payments to primary care physicians currently in practice. These policies will result in an improved primary care infrastructure throughout the nation, providing for quality primary care today and well into the future.

Finally, we cannot address health care reform without addressing the needs the individuals who require it the most: those in long-term care. For many older Americans and people with disabilities, long-term care is not a luxury but a necessity, a required service needed to maintain their overall quality of life. Traditionally this care has been provided in institutions such as nursing homes, which can cost upwards of $70,000 a year. While some people require the around-the-clock care provided in nursing homes, many of those in need of long-term care would be better off remaining in their homes where they can continue to be active members of the community. Home- and community-based services provide people the care they need in non-institutional settings, which, in addition to saving a significant amount of money, allows for the freedom and independence to which people are accustomed. This legislation contains several provisions which provide States with the resources they need to move away from institutional long-term care and towards home- and community-based

services, such as increasing Federal Medicaid dollars to transition to home- and community-based services, and providing incentives to create consolidated information centers so consumers and their families can make well-informed decisions about long-term care options. If we gave just 5 percent of those who go into nursing homes the ability to receive care in their own homes and communities, the Federal Government would see a net savings of more than $10 billion over 5 years. This significant savings can be achieved while simultaneously providing better care; a truly win-win situation.

In introducing this bill I am reminding my colleagues that reforming health care need not be a zero-sum game. We can achieve our goals of improving the health care workforce, stabilizing the physician payment structure, improving access to needed care and decreasing the financial and emotional burdens associated with long-term care while simultaneously providing significant savings throughout the health care system. I look forward to working with my colleagues in the Senate to ensure these crtical reforms are enacted.

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. 1262

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medical Efficiency and Delivery Improvement of Care Act (MEDIC) of 2009''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—LOAN PROGRAM PROVISIONS

Sec. 1001. Short title.
Sec. 1002. Hospital residency loan program.

TITLE II—PRIMARY CARE PROVISIONS

Sec. 2001. Short title.
Sec. 2002. Findings.
Sec. 2003. Definitions.

Subtitle A—Medical Education

Sec. 2101. Recruitment incentives.
Sec. 2102. Debt forgiveness, scholarships, and service obligations.
Sec. 2103. Deferment of loans during residency and internships.
Sec. 2104. Educating medical students about primary care careers.
Sec. 2105. Training in family medicine, general internal medicine, general geriatrics, general pediatrics, physician assistant education, general dentistry, and pediatric dentistry.
Sec. 2106. Increased funding for National Health Service Corps Scholarship and loan repayment programs.

Subtitle B—Medicaid Related Provisions

Sec. 2201. Transformation grants to support patient-centered medical homes under Medicaid and CHIP.

Subtitle C—Medicare Provisions

PART I—PRIMARY CARE

Sec. 2301. Reforming payment systems under Medicare to support primary care.
Sec. 2302. Coverage of patient-centered medical home services.
Sec. 2303. Medicare primary care payment equity and access provision.
Sec. 2304. Additional incentive payment program for primary care services furnished in health professional shortage areas.
Sec. 2305. Permanent extension of Medicare incentive payment program for physician scarcity areas.
Sec. 2306. HHS study and report on the process for determining relative value under the Medicare physician fee schedule.

PART II—PREVENTIVE SERVICES

Sec. 2311. Eliminating time restriction for initial preventive physical examination.
Sec. 2312. Elimination of cost-sharing for preventive benefits under the Medicare program.
Sec. 2313. HHS study and report on facilitating the receipt of Medicare preventive services by Medicare beneficiaries.

PART III—OTHER PROVISIONS

Sec. 2321. HHS study and report on improving the ability of physicians and primary care providers to assist Medicare beneficiaries in obtaining needed prescriptions under Medicare part D.
Sec. 2322. HHS study and report on improved patient care through increased caregiver and physician interaction.
Sec. 2323. Improved patient care through expanded support for limited English proficiency (LEP) services.
Sec. 2324. HHS study and report on use of real-time Medicare claims adjudication.
Sec. 2325. Ongoing assessment by MedPAC of the impact of medicare payments on primary care access and equity.
Sec. 2326. Distribution of additional residency positions.
Sec. 2327. Counting resident time in outpatient settings.
Sec. 2328. Rules for counting resident time for didactic and scholarly activities and other activities.
Sec. 2329. Preservation of resident cap positions from closed and acquired hospitals.
Sec. 2330. Quality improvement organization assistance for physician practices seeking to be patient-centered medical home practices.

Subtitle D—Studies

Sec. 2401. Study concerning the designation of primary care as a shortage profession.
Sec. 2402. Study concerning the education debt of medical school graduates.
Sec. 2403. Study on minority representation in primary care.

TITLE III—MEDICARE PAYMENT PROVISIONS

Sec. 3001. Short title.
Sec. 3002. Findings.
Sec. 3003. Value index under the Medicare physician fee schedule.

TITLE IV—LONG-TERM SERVICES PROVISIONS

Sec. 4001. Short title.

Subtitle A—Balancing Incentives

Sec. 4101. Enhanced FMAP for expanding the provision of non-institutionally-based long-term services and supports.

Subtitle B—Strengthening the Medicaid Home and Community-Based State Plan Amendment Option

Sec. 4201. Removal of barriers to providing home and community-based services under State plan amendment option for individuals in need.
Sec. 4202. Mandatory application of spousal impoverishment protections to recipients of home and community-based services.
Sec. 4203. State authority to elect to exclude up to 6 months of average cost of nursing facility services from assets or resources for purposes of eligibility for home and community-based services.

Subtitle C—Coordination of Home and Community-Based Waivers

Sec. 4301. Streamlined process for combined waivers under subsections (b) and (c) of section 1915 .

TITLE V—HOME AND COMMUNITY-BASED SERVICES PROVISIONS

Sec. 5001. Short title.
Sec. 5002. Long-term services and supports.

TITLE I—LOAN PROGRAM PROVISIONS

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Physician Workforce Enhancement Act of 2009''.

SEC. 1002. HOSPITAL RESIDENCY LOAN PROGRAM.

Subpart 2 of part E of title VII of the Public Health Service Act is amended by adding at the end the following new section:

''SEC. 771. HOSPITAL RESIDENCY LOAN PROGRAM.

''(a) ESTABLISHMENT.—Not later than January 1, 2010, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a loan program that provides loans to eligible hospitals to establish residency training programs.

''(b) APPLICATION.—-No loan may be provided under this section to an eligible hospital except pursuant to an application that is submitted and approved in a time, manner, and form specified by the Administrator of the Health Resources and Services Administration. A loan under this section shall be on such terms and conditions and meet such requirements as the Administrator determines appropriate, in accordance with the provisions of this section.

''(c) ELIGIBILITY; PREFERENCE FOR RURAL AND SMALL URBAN AREAS.—

''(1) ELIGIBLE HOSPITAL DEFINED.—For purposes of this section, an 'eligible hospital' means, with respect to a loan under this section, a hospital that, as of the date of the submission of an application under subsection (b), meets, to the satisfaction of the Administrator of the Health Resources and Services Administration, each of the following criteria:

''(A) The hospital does not operate a residency training program, has not previously operated such a program, and has not taken any significant action, such as the expenditure of a material amount of funds, before July 1, 2009, to establish such a program.

''(B) The hospital has secured initial accreditation by the American Council for Graduate Medical Education or the American Osteopathic Association.

''(C) The hospital provides assurances to the satisfaction of the Administrator of the Health Resources and Services Administration that such loan shall be used, consistent

with subsection (d), only for the purposes of establishing and conducting an allopathic or osteopathic physician residency training program in at least one of the following medical specialties, or a combination of the following:

''(i) Family medicine.

''(ii) Internal medicine.

''(iii) Emergency medicine.

''(iv) Obstetrics or gynecology.

''(v) General surgery.

''(vi) Preventive Medicine.

''(vii) Pediatrics.

''(viii) Behavioral and Mental Health.

''(D) The hospital enters into an agreement with the Administrator that certifies the hospital will provide for the repayment of the loan in accordance with subsection (e).

''(2) PREFERENCE FOR RURAL AND SMALL AREAS.—In making loans under this section, the Administrator of the Health Resources and Services Administration shall give preference to any applicant for such a loan that is a hospital located in a rural areas (as such term is defined in section 1886(d)(2)(D) of the Social Security Act) or an urban area that is not a large urban area (as such terms are respectively defined in such section).

''(d) PERMISSIBLE USES OF LOAN FUNDS.—A loan provided under this section shall be used, with respect to a residency training program, only for costs directly attributable to the residency training program, except as otherwise provided by the Administrator of the Health Resources and Services Administration.

''(e) REPAYMENT OF LOANS.—

''(1) REPAYMENT PLANS.—For purposes of subsection (c)(1)(D), a repayment plan for an eligible hospital is in accordance with this subsection if it provides for the repayment of the loan amount in installments, in accordance with a schedule that is agreed to by the Administrator of the Health Resources and Services Administration and the hospital and that is in accordance with this subsection.

''(2) COMMENCEMENT OF REPAYMENT.—Repayment by an eligible hospital of a loan under this section shall commence not later than the date that is 18 months after the date on which the loan amount is disbursed to such hospital.

''(3) REPAYMENT PERIOD.—A loan made under this section shall be fully repaid not later than the date that is 24 months after the date on which the repayment is required to commence.

''(4) LOAN PAYABLE IN FULL IF RESIDENCY TRAINING PROGRAM CANCELED.—In the case that an eligible hospital borrows a loan under this section, with respect to a residency training program, and terminates such program before the date on which such loan has been fully repaid in accordance with a plan under paragraph (1), such loan shall be payable by the hospital not later than 45 days after the date of such termination.

''(f) NO INTEREST CHARGED.—The Administrator of the Health Resources and Services Administration may not charge or collect interest on any loan made under this section.

''(g) LIMITATION ON TOTAL AMOUNT OF LOAN.—The cumulative dollar amount of a loan made to an eligible hospital under this section may not exceed $1,000,000.

''(h) PENALTIES.—The Administrator of the Health Resources and Services Administration shall establish penalties to which an eligible hospital receiving a loan under this section would be subject if such hospital is in violation of any of the criteria described in subsection (c)(1).

''(i) REPORTS.—Not later than January 1, 2014, and annually thereafter (before January 2, 2020), the Administrator of the Health Resources and Services Administration shall submit to Congress a report on the efficacy of the program under this section in increasing the number of residents practicing in each medical specialty described in subsection (c)(1)(C) during such year and the extent to which the program resulted in an increase in the number of available practitioners in each of such medical specialties that serve medically underserved populations.

''(j) FUNDING.——

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of providing amounts for loans under this section, there are authorized to be appropriated $25,000,000 for the period of fiscal years 2010 through 2020.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

''(3) REPAID LOAN AMOUNTS.—Any amount repaid by, or recovered from, an eligible hospital under this section on or before the date of termination described in subsection (k) shall be credited to the appropriation account from which the loan amount involved was originally paid. Any amount repaid by, or recovered from, such a hospital under this section after such date shall be credited to the general fund in the Treasury.

''(k) TERMINATION OF PROGRAM.—No loan may be made under this section after December 31, 2019.''.

TITLE II—PRIMARY CARE PROVISIONS

SEC. 2001. SHORT TITLE.

This title may be cited as the ''Preserving Patient Access to Primary Care Act of 2009''.

SEC. 2002. FINDINGS.

Congress makes the following findings:

(1) Approximately 21 percent of physicians who were board certified in general internal medicine during the early 1990s have left internal medicine, compared to a 5 percent departure rate for those who were certified in subspecialties of internal medicine.

(2) The number of United States medical graduates going into family medicine has fallen by more than 50 percent from 1997 to 2005.

(3) In 2007, only 88 percent of the available medicine residency positions were filled and only 42 percent of those were filled by United States medical school graduates.

(4) In 2006, only 24 percent of third-year internal medicine resident intended to pursue careers in general internal medicine, down from 54 percent in 1998.

(5) Primary care physicians serve as the point of first contact for most patients and are able to coordinate the care of the whole person, reducing unnecessary care and duplicative testing.

(6) Primary care physicians and primary care providers practicing preventive care, including screening for illness and treating diseases, can help prevent complications that result in more costly care.

(7) Patients with primary care physicians or primary care providers have lower health care expenditures and primary care is correlated with better health status, lower overall mortality, and longer life expectancy.

(8) Higher proportions of primary care physicians are associated with significantly reduced utilization.

(9) The United States has a higher ratio of specialists to primary care physicians than other industrialized nations and the population of the United States is growing faster than the expected rate of growth in the supply of primary care physicians.

(10) The number of Americans age 65 and older, those eligible for Medicare and who use far more ambulatory care visits per person as those under age 65, is expected to double from 2000 to 2030.

(11) A decrease in Federal spending to carry out programs authorized by title VII of the Public Health Service Act threatens the viability of one of the programs used to solve the problem of inadequate access to primary care.

(12) The National Health Service Corps program has a proven record of supplying physicians to underserved areas, and has played an important role in expanding access for underserved populations in rural and inner city communities.

(13) Individuals in many geographic areas, especially rural areas, lack adequate access to high quality preventive, primary health care, contributing to significant health disparities that impair America's public health and economic productivity.

(14) About 20 percent of the population of the United States resides in primary medical care Health Professional Shortage Areas.

SEC. 2003. DEFINITIONS.

(a) GENERAL DEFINITIONS.—In this title:

(1) CHRONIC CARE COORDINATION.—The term ''chronic care coordination'' means the coordination of services that is based on the Chronic Care Model that provides on-going health care to patients with chronic diseases that may include any of the following services:

(A) The development of an initial plan of care, and subsequent appropriate revisions to such plan of care.

(B) The management of, and referral for, medical and other health services, including interdisciplinary care conferences and management with other providers.

(C) The monitoring and management of medications.

(D) Patient education and counseling services.

(E) Family caregiver education and counseling services.

(F) Self-management services, including health education and risk appraisal to identify behavioral risk factors through self-assessment.

(G) Providing access by telephone with physicians and other appropriate health care professionals, including 24-hour availability of such professionals for emergencies.

(H) Management with the principal nonprofessional caregiver in the home.

(I) Managing and facilitating transitions among health care professionals and across settings of care, including the following:

(i) Pursuing the treatment option elected by the individual.

(ii) Including any advance directive executed by the individual in the medical file of the individual.

(J) Information about, and referral to, hospice care, including patient and family caregiver education and counseling about hospice care, and facilitating transition to hospice care when elected.

(K) Information about, referral to, and management with, community services.

(2) CRITICAL SHORTAGE HEALTH FACILITY.—The term ''critical shortage health facility'' means a public or private nonprofit health facility that does not serve a health professional shortage area (as designated under section 332 of the Public Health Service Act), but that has a critical shortage of physicians (as determined by the Secretary) in a primary care field.

(3) PHYSICIAN.—The term physician has the meaning given such term in section 1861(r)(1) of the Social Security Act.

(4) PRIMARY CARE.—The term ''primary care'' means the provision of integrated, high-quality, accessible health care services by health care providers who are accountable for addressing a full range of personal health and health care needs, developing a sustained partnership with patients, practicing in the context of family and community, and working to minimize disparities across population subgroups.

(5) PRIMARY CARE FIELD.—The term ''primary care field'' means any of the following fields:

(A) The field of family medicine.

(B) The field of general internal medicine.

(C) The field of geriatric medicine.

(D) The field of pediatric medicine

(6) PRIMARY CARE PHYSICIAN.—The term ''primary care physician'' means a physician who is trained in a primary care field who provides first contact, continuous, and comprehensive care to patients.

(7) PRIMARY CARE PROVIDER.—The term ''primary care provider'' means—

(A) a nurse practitioner; or

(B) a physician assistant practicing as a member of a physician-directed team;

who provides first contact, continuous, and comprehensive care to patients.

(8) PRINCIPAL CARE.—The term ''principal care'' means integrated, accessible health care that is provided by a physician who is a medical subspecialist that addresses the majority of the personal health care needs of patients with chronic conditions requiring the subspecialist's expertise, and for whom the subspecialist assumes care management, developing a sustained physician-patient partnership and practicing within the context of family and community.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) PRIMARY MEDICAL CARE SHORTAGE AREA.—

(1) IN GENERAL.—In this title, the term ''primary medical care shortage area'' or ''PMCSA'' means a geographic area with a shortage of physicians (as designated by the Secretary) in a primary care field, as designated in accordance with paragraph (2).

(2) DESIGNATION.—To be designated by the Secretary as a PMCSA, the Secretary must find that the geographic area involved has an established shortage of primary care physicians for the population served. The Secretary shall make such a designation with respect to an urban or rural geographic area if the following criteria are met:

(A) The area is a rational area for the delivery of primary care services.

(B) One of the following conditions prevails within the area:

(i) The area has a population to full-time-equivalent primary care physician ratio of at least 3,500 to 1.

(ii) The area has a population to full-time-equivalent primary care physician ratio of less than 3,500 to 1 and has unusually high needs for primary care services or insufficient capacity of existing primary care providers.

(C) Primary care providers in contiguous geographic areas are overutilized.

(c) MEDICALLY UNDERSERVED AREA.—

(1) IN GENERAL.—In this title, the term ''medically underserved area'' or ''MUA'' means a rational service area with a demonstrable shortage of primary healthcare resources relative to the needs of the entire population within the service area as determined in accordance with paragraph (2) through the use of the Index of Medical Underservice (referred to in this subsection as the ''IMU'') with respect to data on a service area.

(2) DETERMINATIONS.—Under criteria to be established by the Secretary with respect to the IMU, if a service area is determined by the Secretary to have a score of 62.0 or less, such area shall be eligible to be designated as a MUA.

(3) IMU VARIABLES.—In establishing criteria under paragraph (2), the Secretary shall ensure that the following variables are utilized:

(A) The ratio of primary medical care physicians per 1,000 individuals in the population of the area involved.

(B) The infant mortality rate in the area involved.

(C) The percentage of the population involved with incomes below the poverty level.

(D) The percentage of the population involved age 65 or over.

The value of each of such variables for the service area involved shall be converted by the Secretary to a weighted value, according to established criteria, and added together to obtain the area's IMU score.

(d) PATIENT-CENTERED MEDICAL HOME.—

(1) IN GENERAL.—In this title, the term ''patient-centered medical home'' means a physician-directed practice (or a nurse practitioner directed practice in those States in which such functions are included in the scope of practice of licensed nurse practitioners) that has been certified by an organization under paragraph (3) as meeting the following standards:

(A) The practice provides patients who elect to obtain care through a patient-centered medical home (referred to as ''participating patients'') with direct and ongoing access to a primary or principal care physician or a primary care provider who accepts responsibility for providing first contact, continuous, and comprehensive care to the whole person, in collaboration with teams of other health professionals, including nurses and specialist physicians, as needed and appropriate.

(B) The practice applies standards for access to care and communication with participating beneficiaries.

(C) The practice has readily accessible, clinically useful information on participating patients that enables the practice to treat such patients comprehensively and systematically.

(D) The practice maintains continuous relationships with participating patients by implementing evidence-based guidelines and applying such guidelines to the identified needs of individual beneficiaries over time and with the intensity needed by such beneficiaries.

(2) RECOGNITION OF NCQA APPROVAL.—Such term also includes a physician-directed (or nurse-practitioner-directed) practice that has been recognized as a medical home through the Physician Practice Connections—patient-centered Medical Home (''PPC–PCMH'') voluntary recognition process of the National Committee for Quality Assurance.

(3) STANDARD SETTING AND QUALIFICATION PROCESS FOR MEDICAL HOMES.—The Secretary shall establish a process for the selection of a qualified standard setting and certification organization—

(A) to establish standards, consistent with this subsection, to enable medical practices to qualify as patient-centered medical homes; and

(B) to provide for the review and certification of medical practices as meeting such standards.

(4) TREATMENT OF CERTAIN PRACTICES.—Nothing in this section shall be construed as preventing a nurse practitioner from leading a patient-centered medical home so long as—

(A) all of the requirements of this section are met; and

(B) the nurse practitioner is acting consistently with State law.

(e) APPLICATION UNDER MEDICARE, MEDICAID, PHSA, ETC.—Unless otherwise provided, the provisions of the previous subsections shall apply for purposes of provisions of the Social Security Act, the Public Health Service Act, and any other Act amended by this title.

Subtitle A—Medical Education

SEC. 2101. RECRUITMENT INCENTIVES.

Title VII of the Higher Education Act of 1965 (20 U.S.C. 1133 et seq.) is amended by adding at the end the following:

"PART VI—MEDICAL EDUCATION RECRUITMENT INCENTIVES

"SEC. 786. MEDICAL EDUCATION RECRUITMENT INCENTIVES.

''(a) IN GENERAL.—The Secretary is authorized to award grants or contracts to institutions of higher education that are graduate medical schools, to enable the graduate medical schools to improve primary care education and training for medical students.

''(b) APPLICATION.—A graduate medical school that desires to receive a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(c) USES OF FUNDS.—A graduate medical school that receives a grant under this section shall use such grant funds to carry out 1 or more of the following:

''(1) The creation of primary care mentorship programs.

''(2) Curriculum development for population-based primary care models of care, such as the patient-centered medical home.

''(3) Increased opportunities for ambulatory, community-based training.

''(4) Development of generalist curriculum to enhance care for rural and underserved populations in primary care or general surgery.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of the fiscal years 2010 through 2012.''.

SEC. 2102. DEBT FORGIVENESS, SCHOLARSHIPS, AND SERVICE OBLIGATIONS.

(a) PURPOSE.—It is the purpose of this section to encourage individuals to enter and continue in primary care physician careers.

(b) AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.—Part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended by adding at the end the following:

"Subpart XX—Primary Care Medical Education

"SEC. 340A. SCHOLARSHIPS.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall award grants to critical shortage health facilities to enable such facilities to provide scholarships to individuals who agree to serve as physicians at such facilities after completing a residency in a primary care field (as defined in section 3(a)(5) of the Preserving Patient Access to Primary Care Act of 2009).

''(b) SCHOLARSHIPS.—A health facility shall use amounts received under a grant under this section to enter into contracts with eligible individuals under which—

''(1) the facility agrees to provide the individual with a scholarship for each school year (not to exceed 4 school years) in which the individual is enrolled as a full-time student in a school of medicine or a school of osteopathic medicine; and

''(2) the individual agrees—

''(A) to maintain an acceptable level of academic standing;

''(B) to complete a residency in a primary care field; and

''(C) after completing the residency, to serve as a primary care physician at such facility in such field for a time period equal to the greater of—

''(i) one year for each school year for which the individual was provided a scholarship under this section; or

''(ii) two years.

''(c) AMOUNT.—

''(1) IN GENERAL.—The amount paid by a health facility to an individual under a scholarship under this section shall not exceed $35,000 for any school year.

''(2) CONSIDERATIONS.—In determining the amount of a scholarship to be provided to an individual under this section, a health facility may take into consideration the individual's financial need, geographic differences, and educational costs.

''(3) EXCLUSION FROM GROSS INCOME.—For purposes of the Internal Revenue Code of 1986, gross income shall not include any amount received as a scholarship under this section.

''(d) APPLICATION OF CERTAIN PROVISIONS.—The provisions of subpart III of part D shall, except as inconsistent with this section, apply to the program established in subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Scholarship Program established in such subpart.

''(e) DEFINITIONS.—In this section:

''(1) CRITICAL SHORTAGE HEALTH FACILITY.—The term 'critical shortage health facility' means a public or private nonprofit health facility that does not serve a health professional shortage area (as designated under section 332), but has a critical shortage of physicians (as determined by the Secretary) in a primary care field.

''(2) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means an individual who is enrolled, or accepted for enrollment, as a full-time student in an accredited school of medicine or school of osteopathic medicine.

''SEC. 340B. LOAN REPAYMENT PROGRAM.

''(a) PURPOSE.—It is the purpose of this section to alleviate critical shortages of primary care physicians and primary care providers.

''(b) LOAN REPAYMENTS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a program of entering into contracts with eligible individuals under which—

''(1) the individual agrees to serve—

''(A) as a primary care physician or primary care provider in a primary care field; and

''(B) in an area that is not a health professional shortage area (as designated under section 332), but has a critical shortage of primary care physicians and primary care providers (as determined by the Secretary) in such field; and

''(2) the Secretary agrees to pay, for each year of such service, not more than $35,000 of the principal and interest of the undergraduate or graduate educational loans of the individual.

''(c) SERVICE REQUIREMENT.—A contract entered into under this section shall allow the individual receiving the loan repayment to satisfy the service requirement described in subsection (a)(1) through employment in a solo or group practice, a clinic, a public or private nonprofit hospital, or any other appropriate health care entity.

''(d) APPLICATION OF CERTAIN PROVISIONS.—The provisions of subpart III of part D shall, except as inconsistent with this section, apply to the program established in subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Scholarship Program established in such subpart.

''(e) DEFINITION.—In this section, the term 'eligible individual' means—

''(1) an individual with a degree in medicine or osteopathic medicine; or

''(2) a primary care provider (as defined in section 3(a)(7) of the Preserving Patient Access to Primary Care Act of 2009).

''SEC. 340C. LOAN REPAYMENTS FOR PHYSICIANS IN THE FIELDS OF OBSTETRICS AND GYNECOLOGY AND CERTIFIED NURSE MIDWIVES.

''(a) PURPOSE.—It is the purpose of this section to alleviate critical shortages of physicians in the fields of obstetrics and gynecology and certified nurse midwives.

''(b) LOAN REPAYMENTS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a program of entering into contracts with eligible individuals under which—

''(1) the individual agrees to serve—

''(A) as a physician in the field of obstetrics and gynecology or as a certified nurse midwife; and

''(B) in an area that is not a health professional shortage area (as designated under section 332), but has a critical shortage of physicians in the fields of obstetrics and gynecology or certified nurse midwives (as determined by the Secretary), respectively; and

''(2) the Secretary agrees to pay, for each year of such service, not more than $35,000 of the principal and interest of the undergraduate or graduate educational loans of the individual.

''(c) SERVICE REQUIREMENT.—A contract entered into under this section shall allow the individual receiving the loan repayment to satisfy the service requirement described in subsection (a)(1) through employment in a solo or group practice, a clinic, a public or private nonprofit hospital, or any other appropriate health care entity.

''(d) APPLICATION OF CERTAIN PROVISIONS.—The provisions of subpart III of part D shall, except as inconsistent with this section, apply to the program established in subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Scholarship Program established in such subpart.

''(e) DEFINITION.—In this section, the term 'eligible individual' means—

''(1) a physician in the field of obstetrics and gynecology; or

''(2) a certified nurse midwife.

''SEC. 340D. REPORTS.

''Not later than 18 months after the date of enactment of this section, and annually thereafter, the Secretary shall submit to Congress a report that describes the programs carried out under this subpart, including statements concerning—

''(1) the number of enrollees, scholarships, loan repayments, and grant recipients;

''(2) the number of graduates;

''(3) the amount of scholarship payments and loan repayments made;

''(4) which educational institution the recipients attended;

''(5) the number and placement location of the scholarship and loan repayment recipients at health care facilities with a critical shortage of primary care physicians;

''(6) the default rate and actions required;

''(7) the amount of outstanding default funds of both the scholarship and loan repayment programs;

''(8) to the extent that it can be determined, the reason for the default;

''(9) the demographics of the individuals participating in the scholarship and loan repayment programs;

''(10) the justification for the allocation of funds between the scholarship and loan repayment programs; and

''(11) an evaluation of the overall costs and benefits of the programs.

''SEC. 340E. AUTHORIZATION OF APPROPRIATIONS.

''To carry out sections 340I, 340J, and 340K there are authorized to be appropriated $55,000,000 for fiscal year 2010, $90,000,000 for fiscal year 2011, and $125,000,000 for fiscal year 2012, to be used solely for scholarships and loan repayment awards for primary care physicians and primary care providers.''.

SEC. 2103. DEFERMENT OF LOANS DURING RESIDENCY AND INTERNSHIPS.

(a) LOAN REQUIREMENTS.—Section 427(a)(2)(C)(i) of the Higher Education Act of 1965 (20 U.S.C. 1077(a)(2)(C)(i)) is amended by inserting ''unless the medical internship or residency program is in a primary care field (as defined in section 3(a)(5) of the Preserving Patient Access to Primary Care Act of 2009)'' after ''residency program''.

(b) FFEL LOANS.—Section 428(b)(1)(M)(i) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(M)(i)) is amended by inserting ''unless the medical internship or residency program is in a primary care field (as defined in section 3(a)(5) of the Preserving Patient Access to Primary Care Act of 2009)'' after ''residency program''.

(c) FEDERAL DIRECT LOANS.—Section 455(f)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)(2)(A)) is amended by inserting ''unless the medical internship or residency program is in a primary care field (as defined in section 3(a)(5) of the Preserving Patient Access to Primary Care Act of 2009)'' after ''residency program''.

(d) FEDERAL PERKINS LOANS.—Section 464(c)(2)(A)(i) of the Higher Education Act of 1965 (20 U.S.C. 1087dd(c)(2)(A)(i)) is amended by inserting ''unless the medical internship or residency program is in a primary care field (as defined in section 3(a)(5) of the Preserving Patient Access to Primary Care Act of 2009)'' after ''residency program''.

SEC. 2104. EDUCATING MEDICAL STUDENTS ABOUT PRIMARY CARE CAREERS.

Part C of title VII of the Public Health Service Act (42 U.S.C. 293k) is amended by adding at the end the following:

''SEC. 749. EDUCATING MEDICAL STUDENTS ABOUT PRIMARY CARE CAREERS.

''(a) IN GENERAL.—The Secretary shall award grants to eligible State and local government entities for the development of informational materials that promote careers in primary care by highlighting the advantages and rewards of primary care, and that encourage medical students, particularly students from disadvantaged backgrounds, to become primary care physicians.

''(b) ANNOUNCEMENT.—The grants described in subsection (a) shall be announced through a publication in the Federal Register and through appropriate media outlets in a manner intended to reach medical education institutions, associations, physician groups, and others who communicate with medical students.

''(c) ELIGIBILITY.—To be eligible to receive a grant under this section an entity shall—

''(1) be a State or local entity; and

''(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—An entity shall use amounts received under a grant under this section to support State and local campaigns through appropriate media outlets to promote careers in primary care and to encourage individuals from disadvantaged backgrounds to enter and pursue careers in primary care.

''(2) SPECIFIC USES.—In carrying out activities under paragraph (1), an entity shall use grants funds to develop informational materials in a manner intended to reach as wide and diverse an audience of medical students as possible, in order to—

''(A) advertise and promote careers in primary care;

''(B) promote primary care medical education programs;

''(C) inform the public of financial assistance regarding such education programs;

''(D) highlight individuals in the community who are practicing primary care physicians; or

''(E) provide any other information to recruit individuals for careers in primary care.

''(e) LIMITATION.—An entity shall not use amounts received under a grant under this section to advertise particular employment opportunities.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2010 through 2013.''.

SEC. 2105. TRAINING IN FAMILY MEDICINE, GENERAL INTERNAL MEDICINE, GENERAL GERIATRICS, GENERAL PEDIATRICS, PHYSICIAN ASSISTANT EDUCATION, GENERAL DENTISTRY, AND PEDIATRIC DENTISTRY.

Section 747(e) of the Public Health Service Act (42 U.S.C. 293k) is amended by striking paragraph (1) and inserting the following:

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $198,000,000 for each of fiscal years 2010 through 2012.''.

SEC. 2106. INCREASED FUNDING FOR NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP AND LOAN REPAYMENT PROGRAMS.

(a) IN GENERAL.—There is authorized to be appropriated $332,000,000 for the period of fiscal years 2010 through 2012 for the purpose of carrying out subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254l et seq.). Such authorization of appropriations is in addition to the authorization of appropriations in section 338H of such Act (42 U.S.C. 254q) and any other authorization of appropriations for such purpose.

(b) ALLOCATION.—Of the amounts appropriated under subsection (a) for the period of fiscal years 2010 through 2012, the Secretary shall obligate $96,000,000 for the purpose of providing contracts for scholarships and loan repayments to individuals who—

(1) are primary care physicians or primary care providers; and

(2) have not previously received a scholarship or loan repayment under subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254l et seq.).

Subtitle B—Medicaid Related Provisions

SEC. 2201. TRANSFORMATION GRANTS TO SUPPORT PATIENT-CENTERED MEDICAL HOMES UNDER MEDICAID AND CHIP.

(a) IN GENERAL.—Section 1903(z) of the Social Security Act (42 U.S.C. 1396b(z)) is amended—

(1) in paragraph (2), by adding at the end the following new subparagraph:

''(G) Methods for improving the effectiveness and efficiency of medical assistance provided under this title and child health assistance provided under title XXI by encouraging the adoption of medical practices that satisfy the standards established by the Secretary under paragraph (2) of section 3(d) of the Preserving Patient Access to Primary Care Act of 2009 for medical practices to qualify as patient-centered medical homes (as defined in paragraph (1) of such section).''; and

(2) in paragraph (4)—

(A) in subparagraph (A)—

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

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by inserting after clause (ii), the following new clause:

''(iii) $25,000,000 for each of fiscal years 2010, 2011, and 2012.''; and

(B) in subparagraph (B), by striking the second and third sentences and inserting the following: ''Such method shall provide that 100 percent of such funds for each of fiscal years 2010, 2011, and 2012 shall be allocated among States that design programs to adopt the innovative methods described in paragraph (2)(G), with preference given to States that design programs involving multipayers (including under title XVIII and private health plans) test projects for implementation of the elements necessary to be recognized as a patient-centered medical home practice under the National Committee for Quality Assurance Physicians Practice Connection-PCMH module (or any other equivalent process, as determined by the Secretary).''.

(b) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2010.

Subtitle C—Medicare Provisions

PART I—PRIMARY CARE

SEC. 2301. REFORMING PAYMENT SYSTEMS UNDER MEDICARE TO SUPPORT PRIMARY CARE.

(a) INCREASING BUDGET NEUTRALITY LIMITS UNDER THE PHYSICIAN FEE SCHEDULE TO ACCOUNT FOR ANTICIPATED SAVINGS RESULTING FROM PAYMENTS FOR CERTAIN SERVICES AND THE COORDINATION OF BENEFICIARY CARE.—Section 1848(c)(2)(B) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)(B)) is amended—

(1) in clause (ii)(II), by striking ''(iv) and (v)'' and inserting ''(iv), (v), and (vii)''; and

(2) by adding at the end the following new clause:

''(vii) INCREASE IN LIMITATION TO ACCOUNT FOR CERTAIN ANTICIPATED SAVINGS.—

''(I) IN GENERAL.—Effective for fee schedules established beginning with 2010, the Secretary shall increase the limitation on annual adjustments under clause (ii)(II) by an amount equal to the anticipated savings under parts A, B, and D (including any savings with respect to items and services for which payment is not made under this section) which are a result of payments for designated primary care services and comprehensive care coordination services under section 1834(m) and the coverage of patient-centered medical home services under section 1861(s)(2)(FF) (as determined by the Secretary).

''(II) MECHANISM TO DETERMINE APPLICATION OF INCREASE.—The Secretary shall establish a mechanism for determining which relative value units established under this paragraph for physicians' services shall be subject to an adjustment under clause (ii)(I) as a result of the increase under subclause (I).

''(III) ADDITIONAL FUNDING AS DETERMINED NECESSARY BY THE SECRETARY.—In addition to any funding that may be made available as a result of an increase in the limitation on annual adjustments under subclause (I), there shall also be available to the Secretary, for purposes of making payments under this title for new services and capabilities to improve care provided to individuals under this title and to generate efficiencies under this title, such additional funds as the Secretary determines are necessary.''.

(b) SEPARATE MEDICARE PAYMENT FOR DESIGNATED PRIMARY CARE SERVICES AND COMPREHENSIVE CARE COORDINATION SERVICES.—

(1) IN GENERAL.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

''(n) PAYMENT FOR DESIGNATED PRIMARY CARE SERVICES AND COMPREHENSIVE CARE COORDINATION SERVICES.—

''(1) IN GENERAL.—The Secretary shall pay for designated primary care services and comprehensive care coordination services furnished to an individual enrolled under this part.

''(2) PAYMENT AMOUNT.—The Secretary shall determine the amount of payment for designated primary care services and comprehensive care coordination services under this subsection.

''(3) DOCUMENTATION REQUIREMENTS.—The Secretary shall propose appropriate documentation requirements to justify payments for designated primary care services and comprehensive care coordination services under this subsection.

''(4) DEFINITIONS.—

''(A) COMPREHENSIVE CARE COORDINATION SERVICES.—The term 'comprehensive care coordination services' means care coordination services with procedure codes established by the Secretary (as appropriate) which are furnished to an individual enrolled under this part by a primary care provider or principal care physician.

''(B) DESIGNATED PRIMARY CARE SERVICES.—The term 'designated primary care service' means a service which the Secretary determines has a procedure code which involves a clinical interaction with an individual enrolled under this part that is inherent to care coordination, including interactions outside of a face-to-face encounter. Such term includes the following:

''(i) Care plan oversight.

''(ii) Evaluation and management provided by phone.

''(iii) Evaluation and management provided using internet resources.

''(iv) Collection and review of physiologic data, such as from a remote monitoring device.

''(v) Education and training for patient self management.

''(vi) Anticoagulation management services.

''(vii) Any other service determined appropriate by the Secretary.''.

(2) EFFECTIVE DATE.—The amendment made by this section shall apply to items and services furnished on or after January 1, 2010.

SEC. 2302. COVERAGE OF PATIENT-CENTERED MEDICAL HOME SERVICES.

(a) IN GENERAL.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(1) in subparagraph (DD), by striking ''and'' at the end;

(2) in subparagraph (EE), by inserting ''and'' at the end; and

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

''(FF) patient-centered medical home services (as defined in subsection (hhh)(1));''.

(b) DEFINITION OF PATIENT-CENTERED MEDICAL HOME SERVICES.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by adding at the end the following new subsection:

''Patient-Centered Medical Home Services

''(hhh)(1) The term 'patient-centered medical home services' means care coordination services furnished by a qualified patient-centered medical home.

''(2) The term 'qualified patient-centered medical home' means a patient-centered medical home (as defined in section 3(d) of the Preserving Patient Access to Primary Care Act of 2009).''.

(c) MONTHLY FEE FOR PATIENT-CENTERED MEDICAL HOME SERVICES.—Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended by adding at the end the following new subsection:

''(p) MONTHLY FEE FOR PATIENT-CENTERED MEDICAL HOME SERVICES.—

''(1) MONTHLY FEE.—

''(A) IN GENERAL.—Not later than January 1, 2012, the Secretary shall establish a payment methodology for patient-centered medical home services (as defined in paragraph (1) of section 1861(hhh)). Under such payment

methodology, the Secretary shall pay qualified patient-centered medical homes (as defined in paragraph (2) of such section) a monthly fee for each individual who elects to receive patient-centered medical home services at that medical home. Such fee shall be paid on a prospective basis.

''(B) CONSIDERATIONS.—The Secretary shall take into account the results of the Medicare medical home demonstration project under section 204 of the Medicare Improvement and Extension Act of 2006 (42 U.S.C. 1395b–1 note; division B of Public Law 109–432) in establishing the payment methodology under subparagraph (A).

''(2) AMOUNT OF PAYMENT.—

''(A) CONSIDERATIONS.—In determining the amount of such fee, subject to paragraph (3), the Secretary shall consider the following:

''(i) The clinical work and practice expenses involved in providing care coordination services consistent with the patient-centered medical home model (such as providing increased access, care coordination, disease population management, and education) for which payment is not made under this section as of the date of enactment of this subsection.

''(ii) Ensuring that the amount of payment is sufficient to support the acquisition, use, and maintenance of clinical information systems which—

''(I) are needed by a qualified patient-centered medical home; and

''(II) have been shown to facilitate improved outcomes through care coordination.

''(iii) The establishment of a tiered monthly care management fee that provides for a range of payment depending on how advanced the capabilities of a qualified patient-centered medical home are in having the information systems needed to support care coordination.

''(B) RISK-ADJUSTMENT.—The Secretary shall use appropriate risk-adjustment in determining the amount of the monthly fee under this paragraph.

''(3) FUNDING.—

''(A) IN GENERAL.—The Secretary shall determine the aggregate estimated savings for a calendar year as a result of the implementation of this subsection on reducing preventable hospital admissions, duplicate testing, medication errors and drug interactions, and other savings under this part and part A (including any savings with respect to items and services for which payment is not made under this section).

''(B) FUNDING.—Subject to subparagraph (C), the aggregate amount available for payment of the monthly fee under this subsection during a calendar year shall be equal to the aggregate estimated savings (as determined under subparagraph (A)) for the calendar year (as determined by the Secretary).

''(C) ADDITIONAL FUNDING.—In the case where the amount of the aggregate actual savings during the preceding 3 years exceeds the amount of the aggregate estimated savings (as determined under subparagraph (A)) during such period, the aggregate amount available for payment of the monthly fee under this subsection during the calendar year (as determined under subparagraph (B)) shall be increased by the amount of such excess.

''(D) ADDITIONAL FUNDING AS DETERMINED NECESSARY BY THE SECRETARY.—In addition to any funding made available under subparagraphs (B) and (C), there shall also be available to the Secretary, for purposes of effectively implementing this subsection, such additional funds as the Secretary determines are necessary.

''(4) PERFORMANCE-BASED BONUS PAYMENTS.—The Secretary shall establish a process for paying a performance-based bonus to qualified patient-centered medical homes which meet or achieve substantial improvements in performance (as specified under clinical, patient satisfaction, and efficiency benchmarks established by the Secretary). Such bonus shall be in an amount determined appropriate by the Secretary.

''(5) NO EFFECT ON PAYMENTS FOR EVALUATION AND MANAGEMENT SERVICES.—The monthly fee under this subsection shall have no effect on the amount of payment for evaluation and management services under this title.''.

(d) COINSURANCE.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 13951(a)(1)) is amended—

(1) by striking ''and'' before ''(W)''; and

(2) by inserting before the semicolon at the end the following: '', and (X) with respect to patient-centered medical home services (as defined in section 1861(hhh)(1)), the amount paid shall be (i) in the case of such services which are physicians' services, the amount determined under subparagraph (N), and (ii) in the case of all other such services, 80 percent of the lesser of the actual charge for the service or the amount determined under a fee schedule established by the Secretary for purposes of this subparagraph''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after January 1, 2012.

SEC. 2303. MEDICARE PRIMARY CARE PAYMENT EQUITY AND ACCESS PROVISION.

(a) IN GENERAL.—Section 1848 of the Social Security Act (42 U.S.C. 1395w–4), as amended by section 2302(c), is amended by adding at the end the following new subsection:

''(q) PRIMARY CARE PAYMENT EQUITY AND ACCESS.—

''(1) IN GENERAL.—Not later than January 1, 2010, the Secretary shall develop a methodology, in consultation with primary care physician organizations and primary care provider organizations, the Medicare Payment Advisory Commission, and other experts, to increase payments under this section for designated evaluation and management services provided by primary care physicians, primary care providers, and principal care providers through 1 or more of the following:

''(A) A service-specific modifier to the relative value units established for such services.

''(B) Service-specific bonus payments.

''(C) Any other methodology determined appropriate by the Secretary.

''(2) INCLUSION OF PROPOSED CRITERIA.—The methodology developed under paragraph (1) shall include proposed criteria for providers to qualify for such increased payments, including consideration of—

''(A) the type of service being rendered;

''(B) the specialty of the provider providing the service; and

''(C) demonstration by the provider of voluntary participation in programs to improve quality, such as participation in the Physician Quality Reporting Initiative (as determined by the Secretary) or practice-level qualification as a patient-centered medical home.

''(3) FUNDING.—

''(A) DETERMINATION.—The Secretary shall determine the aggregate estimated savings for a calendar year as a result of such increased payments on reducing preventable hospital admissions, duplicate testing, medication errors and drug interactions, Intensive Care Unit admissions, per capita health care expenditures, and other savings under this part and part A (including any savings with respect to items and services for which payment is not made under this section).

''(B) FUNDING.—The aggregate amount available for such increased payments during a calendar year shall be equal to the aggregate estimated savings (as determined under subparagraph (A)) for the calendar year (as determined by the Secretary).

''(C) ADDITIONAL FUNDING AS DETERMINED NECESSARY BY THE SECRETARY.—In addition to any funding made available under subparagraph (B), there shall also be available to the Secretary, for purposes of effectively implementing this subsection, such additional funds as the Secretary determines are necessary.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services furnished on or after January 1, 2010.

SEC. 2304. ADDITIONAL INCENTIVE PAYMENT PROGRAM FOR PRIMARY CARE SERVICES FURNISHED IN HEALTH PROFESSIONAL SHORTAGE AREAS.

(a) IN GENERAL.—Section 1833 of the Social Security Act (42 U.S.C. 1395l) is amended by adding at the end the following new subsection:

''(x) ADDITIONAL INCENTIVE PAYMENTS FOR PRIMARY CARE SERVICES FURNISHED IN HEALTH PROFESSIONAL SHORTAGE AREAS.—

''(1) IN GENERAL.—In the case of primary care services furnished on or after January 1, 2010, by a primary care physician or primary care provider in an area that is designated (under section 332(a)(1)(A) of the Public Health Service Act) as a health professional shortage area as identified by the Secretary prior to the beginning of the year involved, in addition to the amount of payment that would otherwise be made for such services under this part, there also shall be paid (on a monthly or quarterly basis) an amount equal to 10 percent of the payment amount for the service under this part.

''(2) DEFINITIONS.—In this subsection:

''(A) PRIMARY CARE PHYSICIAN; PRIMARY CARE PROVIDER.—The terms 'primary care physician' and 'primary care provider' have the meaning given such terms in paragraphs (6) and (7), respectively, of section 3(a) of the Preserving Patient Access to Primary Care Act of 2009.

''(B) PRIMARY CARE SERVICES.—The term 'primary care services' means procedure codes for services in the category of the Healthcare Common Procedure Coding System, as established by the Secretary under section 1848(c)(5) (as of December 31, 2008 and as subsequently modified by the Secretary) consisting of evaluation and management services, but limited to such procedure codes in the category of office or other outpatient services, and consisting of subcategories of such procedure codes for services for both new and established patients.

''(3) JUDICIAL REVIEW.—There shall be no administrative or judicial review under section 1869, 1878, or otherwise, respecting the identification of primary care physicians, primary care providers, or primary care services under this subsection.''.

(b) CONFORMING AMENDMENT.—Section 1834(g)(2)(B) of the Social Security Act (42 U.S.C. 1395m(g)(2)(B)) is amended by adding at the end the following sentence: ''Section 1833(x) shall not be taken into account in determining the amounts that would otherwise be paid pursuant to the preceding sentence.''.

SEC. 2305. PERMANENT EXTENSION OF MEDICARE INCENTIVE PAYMENT PROGRAM FOR PHYSICIAN SCARCITY AREAS.

Section 1833(u) of the Social Security Act (42 U.S.C. 13951(u)) is amended—

(1) in paragraph (1)—

(A) by inserting ''or on or after July 1, 2009'' after ''before July 1, 2008''; and

(B) by inserting ''(or, in the case of services furnished on or after July 1, 2009, 10 percent)'' after ''5 percent''; and

(2) in paragraph (4)(D), by striking ''before July 1, 2008'' and inserting ''before January 1, 2010''.

SEC. 2306. HHS STUDY AND REPORT ON THE PROCESS FOR DETERMINING RELATIVE VALUE UNDER THE MEDICARE PHYSICIAN FEE SCHEDULE.

(a) STUDY.—The Secretary shall conduct a study on the process used by the Secretary for determining relative value under the Medicare physician fee schedule under section 1848(c) of the Social Security Act (42 U.S.C. 1395w–4(c)). Such study shall include an analysis of the following:

(1)(A) Whether the existing process includes equitable representation of primary care physicians (as defined in section 2003(a)(6)); and

(B) any changes that may be necessary to ensure such equitable representation.

(2)(A) Whether the existing process provides the Secretary with expert and impartial input from physicians in medical specialties that provide primary care to patients with multiple chronic diseases, the fastest growing part of the Medicare population; and

(B) any changes that may be necessary to ensure such input.

(3)(A) Whether the existing process includes equitable representation of physician medical specialties in proportion to their relative contributions toward caring for Medicare beneficiaries, as determined by the percentage of Medicare billings per specialty, percentage of Medicare encounters by specialty, or such other measures of relative contributions to patient care as determined by the Secretary; and

(B) any changes that may be necessary to reflect such equitable representation.

(4)(A) Whether the existing process, including the application of budget neutrality rules, unfairly disadvantages primary care physicians, primary care providers, or other physicians who principally provide evaluation and management services; and

(B) any changes that may be necessary to eliminate such disadvantages.

(b) REPORT.—Not later than 12 months after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

PART II—PREVENTIVE SERVICES

SEC. 2311. ELIMINATING TIME RESTRICTION FOR INITIAL PREVENTIVE PHYSICAL EXAMINATION.

(a) IN GENERAL.—Section 1862(a)(1)(K) of the Social Security Act (42 U.S.C. 1395y(a)(1)(K)) is amended by striking ''more than'' and all that follows before the comma at the end and inserting ''more than one time during the lifetime of the individual''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after January 1, 2010.

SEC. 2312. ELIMINATION OF COST-SHARING FOR PREVENTIVE BENEFITS UNDER THE MEDICARE PROGRAM.

(a) DEFINITION OF PREVENTIVE SERVICES.—Section 1861(ddd) of the Social Security Act (42 U.S.C. 1395w(dd)) is amended—

(1) in the heading, by inserting ''; Preventive Services'' after ''Services'';

(2) in paragraph (1), by striking ''not otherwise described in this title'' and inserting ''not described in subparagraphs (A) through (N) of paragraph (3)''; and

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

''(3) The term 'preventive services' means the following:

''(A) Prostate cancer screening tests (as defined in subsection (oo)).

''(B) Colorectal cancer screening tests (as defined in subsection (pp)).

''(C) Diabetes outpatient self-management training services (as defined in subsection (qq)).

''(D) Screening for glaucoma for certain individuals (as described in subsection (s)(2)(U)).

''(E) Medical nutrition therapy services for certain individuals (as described in subsection (s)(2)(V)).

''(F) An initial preventive physical examination (as defined in subsection (ww)).

''(G) Cardiovascular screening blood tests (as defined in subsection (xx)(1)).

''(H) Diabetes screening tests (as defined in subsection (yy)).

''(I) Ultrasound screening for abdominal aortic aneurysm for certain individuals (as described in subsection (s)(2)(AA)).

''(J) Pneumococcal and influenza vaccine and their administration (as described in subsection (s)(10)(A)).

''(K) Hepatitis B vaccine and its administration for certain individuals (as described in subsection (s)(10)(B)).

''(L) Screening mammography (as defined in subsection (jj)).

''(M) Screening pap smear and screening pelvic exam (as described in subsection (s)(14)).

''(N) Bone mass measurement (as defined in subsection (rr)).

''(O) Additional preventive services (as determined under paragraph (1)).''.

(b) COINSURANCE.—

(1) GENERAL APPLICATION.—

(A) IN GENERAL.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)), as amended by section 2302, is amended—

(i) in subparagraph (T), by striking ''80 percent'' and inserting ''100 percent'';

(ii) in subparagraph (W), by striking ''80 percent'' and inserting ''100 percent'';

(iii) by striking ''and'' before ''(X)''; and

(iv) by inserting before the semicolon at the end the following: '', and (Y) with respect to preventive services described in subparagraphs (A) through (O) of section 1861(ddd)(3), the amount paid shall be 100 percent of the lesser of the actual charge for the services or the amount determined under the fee schedule that applies to such services under this part''.

(2) ELIMINATION OF COINSURANCE FOR SCREENING SIGMOIDOSCOPIES AND COLONOSCOPIES.—Section 1834(d) of the Social Security Act (42 U.S.C. 1395m(d)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting '', except that payment for such tests under such section shall be 100 percent of the payment determined under such section for such tests'' before the period at the end; and

(ii) in subparagraph (C)—

(I) by striking clause (ii); and

(II) in clause (i)—

(aa) by striking ''(i) IN GENERAL.—Notwithstanding'' and inserting ''Notwithstanding'';

(bb) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and moving such clauses 2 ems to the left; and

(cc) in the flush matter following clause (ii), as so redesignated, by inserting ''100 percent of'' after ''based on''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting '', except that payment for such tests under such section shall be 100 percent of the payment determined under such section for such tests'' before the period at the end; and

(ii) in subparagraph (C)—

(I) by striking clause (ii); and

(II) in clause (i)—

(aa) by striking ''(i) IN GENERAL.—Notwithstanding'' and inserting ''Notwithstanding''; and

(bb) by inserting ''100 percent of'' after ''based on''.

(3) ELIMINATION OF COINSURANCE IN OUTPATIENT HOSPITAL SETTINGS.—

(A) EXCLUSION FROM OPD FEE SCHEDULE.—Section 1833(t)(1)(B)(iv) of the Social Security Act (42 U.S.C. 1395l(t)(1)(B)(iv)) is amended by striking ''and diagnostic mammography'' and inserting '', diagnostic mammography, and preventive services (as defined in section 1861(ddd)(3))''.

(B) CONFORMING AMENDMENTS.—Section 1833(a)(2) of the Social Security Act (42 U.S.C. 1395l(a)(2)) is amended—

(i) in subparagraph (F), by striking ''and'' after the semicolon at the end;

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

(iii) by adding at the end the following new subparagraph:

''(H) with respect to preventive services (as defined in section 1861(ddd)(3)) furnished by an outpatient department of a hospital, the amount determined under paragraph (1)(W) or (1)(X), as applicable;''.

(c) WAIVER OF APPLICATION OF DEDUCTIBLE.—The first sentence of section 1833(b) of the Social Security Act (42 U.S.C. 1395l(b)) is amended—

(1) in clause (1), by striking ''items and services described in section 1861(s)(10)(A)'' and inserting ''preventive services (as defined in section 1861(ddd)(3))'';

(2) by inserting ''and'' before ''(4)''; and

(3) by striking '', (5)'' and all that follows up to the period at the end.

SEC. 2313. HHS STUDY AND REPORT ON FACILITATING THE RECEIPT OF MEDICARE PREVENTIVE SERVICES BY MEDICARE BENEFICIARIES.

(a) STUDY.—The Secretary, in consultation with provider organizations and other appropriate stakeholders, shall conduct a study on—

(1) ways to assist primary care physicians and primary care providers (as defined in section 2003(a)) in—

(A) furnishing appropriate preventive services (as defined in section 1861(ddd)(3) of the Social Security Act, as added by section 2312) to individuals enrolled under part B of title XVIII of such Act; and

(B) referring such individuals for other items and services furnished by other physicians and health care providers; and

(2) the advisability and feasability of making additional payments under the Medicare program to physicians and primary care providers for—

(A) the work involved in ensuring that such individuals receive appropriate preventive services furnished by other physicians and health care providers; and

(B) incorporating the resulting clinical information into the treatment plan for the individual.

(b) REPORT.—Not later than 12 months after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

PART III—OTHER PROVISIONS

SEC. 2321. HHS STUDY AND REPORT ON IMPROVING THE ABILITY OF PHYSICIANS AND PRIMARY CARE PROVIDERS TO ASSIST MEDICARE BENEFICIARIES IN OBTAINING NEEDED PRESCRIPTIONS UNDER MEDICARE PART D.

(a) STUDY.—The Secretary, in consultation with physician organizations and other appropriate stakeholders, shall conduct a study on the development and implementation of mechanisms to facilitate increased efficiency relating to the role of physicians and primary care providers in Medicare beneficiaries obtaining needed prescription drugs

under the Medicare prescription drug program under part D of title XVIII of the Social Security Act. Such study shall include an analysis of ways to—

(1) improve the accessibility of formulary information;

(2) streamline the prior authorization, exception, and appeals processes, through, at a minimum, standardizing formats and allowing electronic exchange of information; and

(3) recognize the work of the physician and primary care provider involved in the prescribing process, especially work that may extend beyond the amount considered to be bundled into payment for evaluation and management services.

(b) REPORT.—Not later than 12 months after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. 2322. HHS STUDY AND REPORT ON IMPROVED PATIENT CARE THROUGH INCREASED CAREGIVER AND PHYSICIAN INTERACTION.

(a) STUDY.—The Secretary, in consultation with appropriate stakeholders, shall conduct a study on the development and implementation of mechanisms to promote and increase interaction between physicians or primary care providers and the families of Medicare beneficiaries, as well as other caregivers who support such beneficiaries, for the purpose of improving patient care under the Medicare program. Such study shall include an analysis of—

(1) ways to recognize the work of physicians and primary care providers involved in discussing clinical issues with caregivers that relate to the care of the beneficiary; and

(2) regulations under the Medicare program that are barriers to interactions between caregivers and physicians or primary care providers and how such regulations should be revised to eliminate such barriers.

(b) REPORT.—Not later than 12 months after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. 2323. IMPROVED PATIENT CARE THROUGH EXPANDED SUPPORT FOR LIMITED ENGLISH PROFICIENCY (LEP) SERVICES.

(a) ADDITIONAL PAYMENTS FOR PRIMARY CARE PHYSICIANS AND PRIMARY CARE PROVIDERS.—Section 1833 of the Social Security Act (42 U.S.C. 1395l), as amended by section 2304, is amended by adding at the end the following new subsection:

''(y) ADDITIONAL PAYMENTS FOR PROVIDING SERVICES TO INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.—

''(1) IN GENERAL.—In the case of primary care providers' services furnished on or after January 1, 2010, to an individual with limited English proficiency by a provider, in addition to the amount of payment that would otherwise be made for such services under this part, there shall also be paid an appropriate amount (as determined by the Secretary) in order to recognize the additional time involved in furnishing the service to such individual.

''(2) JUDICIAL REVIEW.—There shall be no administrative or judicial review under section 1869, 1878, or otherwise, respecting the determination of the amount of additional payment under this subsection.''.

(b) NATIONAL CLEARINGHOUSE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a national clearinghouse to make available to the primary care physicians, primary care providers, patients, and States translated documents regarding patient care and education under the Medicare program, the Medicaid program, and the State Children's Health Insurance Program under titles XVIII, XIX, and XXI, respectively, of the Social Security Act.

(c) GRANTS TO SUPPORT LANGUAGE TRANSLATION SERVICES IN UNDERSERVED COMMUNITIES.—

(1) AUTHORITY TO AWARD GRANTS.—The Secretary shall award grants to support language translation services for primary care physicians and primary care providers in medically underserved areas (as defined in section 2003(c)).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to award grants under this subsection, such sums as are necessary for fiscal years beginning with fiscal year 2010.

SEC. 2324. HHS STUDY AND REPORT ON USE OF REAL-TIME MEDICARE CLAIMS ADJUDICATION.

(a) STUDY.—The Secretary shall conduct a study to assess the ability of the Medicare program under title XVIII of the Social Security Act to engage in real-time claims adjudication for items and services furnished to Medicare beneficiaries.

(b) CONSULTATION.—In conducting the study under subsection (a), the Secretary consult with stakeholders in the private sector, including stakeholders who are using or are testing real-time claims adjudication systems.

(c) REPORT.—Not later than January 1, 2011, the Secretary shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. 2325. ONGOING ASSESSMENT BY MEDPAC OF THE IMPACT OF MEDICARE PAYMENTS ON PRIMARY CARE ACCESS AND EQUITY.

The Medicare Payment Advisory Commission, beginning in 2010 and in each of its subsequent annual reports to Congress on Medicare physician payment policies, shall provide an assessment of the impact of changes in Medicare payment policies in improving access to and equity of payments to primary care physicians and primary care providers. Such assessment shall include an assessment of the effectiveness, once implemented, of the Medicare payment-related reforms required by this Act to support primary care as well as any other payment changes that may be required by Congress to improve access to and equity of payments to primary care physicians and primary care providers.

SEC. 2326. DISTRIBUTION OF ADDITIONAL RESIDENCY POSITIONS.

(a) IN GENERAL.—Section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)) is amended—

(1) in paragraph (4)(F)(i), by striking ''paragraph (7)'' and inserting ''paragraphs (7) and (8)'';

(2) in paragraph (4)(H)(i), by striking ''paragraph (7)'' and inserting ''paragraphs (7) and (8)''; and

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

''(8) DISTRIBUTION OF ADDITIONAL RESIDENCY POSITIONS.—

''(A) ADDITIONAL RESIDENCY POSITIONS.—

''(i) REDUCTION IN LIMIT BASED ON UNUSED POSITIONS.—

''(I) IN GENERAL.—The Secretary shall reduce the otherwise applicable resident limit for a hospital that the Secretary determines had residency positions that were unused for all 5 of the most recent cost reporting periods ending prior to the date of enactment of this paragraph by an amount that is equal to the number of such unused residency positions.

''(II) EXCEPTION FOR RURAL HOSPITALS AND CERTAIN OTHER HOSPITALS.—This subparagraph shall not apply to a hospital—

''(aa) located in a rural area (as defined in subsection (d)(2)(D)(ii));

''(bb) that has participated in a voluntary reduction plan under paragraph (6); or

''(cc) that has participated in a demonstration project approved as of October 31, 2003, under the authority of section 402 of Public Law 90–248.

''(ii) NUMBER AVAILABLE FOR DISTRIBUTION.—The number of additional residency positions available for distribution under subparagraph (B) shall be an amount that the Secretary determines would result in a 15 percent increase in the aggregate number of full-time equivalent residents in approved medical training programs (as determined based on the most recent cost reports available at the time of distribution). One-third of such number shall only be available for distribution to hospitals described in subclause (I) of subparagraph (B)(ii) under such subparagraph.

''(B) DISTRIBUTION.—

''(i) IN GENERAL.—The Secretary shall increase the otherwise applicable resident limit for each qualifying hospital that submits an application under this subparagraph by such number as the Secretary may approve for portions of cost reporting periods occurring on or after the date of enactment of this paragraph. The aggregate number of increases in the otherwise applicable resident limit under this subparagraph shall be equal to the number of additional residency positions available for distribution under subparagraph (A)(ii).

''(ii) DISTRIBUTION TO HOSPITALS ALREADY OPERATING OVER RESIDENT LIMIT.—

''(I) IN GENERAL.—Subject to subclause (II), in the case of a hospital in which the reference resident level of the hospital (as defined in clause (ii)) is greater than the otherwise applicable resident limit, the increase in the otherwise applicable resident limit under this subparagraph shall be an amount equal to the product of the total number of additional residency positions available for distribution under subparagraph (A)(ii) and the quotient of—

''(aa) the number of resident positions by which the reference resident level of the hospital exceeds the otherwise applicable resident limit for the hospital; and

''(bb) the number of resident positions by which the reference resident level of all such hospitals with respect to which an application is approved under this subparagraph exceeds the otherwise applicable resident limit for such hospitals.

''(II) REQUIREMENTS.—A hospital described in subclause (I)—

''(aa) is not eligible for an increase in the otherwise applicable resident limit under this subparagraph unless the amount by which the reference resident level of the hospital exceeds the otherwise applicable resident limit is not less than 10 and the hospital trains at least 25 percent of the full-time equivalent residents of the hospital in primary care and general surgery (as of the date of enactment of this paragraph); and

''(bb) shall continue to train at least 25 percent of the full-time equivalent residents of the hospital in primary care and general surgery for the 10-year period beginning on such date.

In the case where the Secretary determines that a hospital no longer meets the requirement of item (bb), the Secretary may reduce the otherwise applicable resident limit of the

hospital by the amount by which such limit was increased under this clause.

''(III) CLARIFICATION REGARDING ELIGIBILITY FOR OTHER ADDITIONAL RESIDENCY POSITIONS.—Nothing in this clause shall be construed as preventing a hospital described in subclause (I) from applying for additional residency positions under this paragraph that are not reserved for distribution under this clause.

''(iii) REFERENCE RESIDENT LEVEL.—

''(I) IN GENERAL.—Except as otherwise provided in subclause (II), the reference resident level specified in this clause for a hospital is the resident level for the most recent cost reporting period of the hospital ending on or before the date of enactment of this paragraph, for which a cost report has been settled (or, if not, submitted (subject to audit)), as determined by the Secretary.

''(II) USE OF MOST RECENT ACCOUNTING PERIOD TO RECOGNIZE EXPANSION OF EXISTING PROGRAM OR ESTABLISHMENT OF NEW PROGRAM.—If a hospital submits a timely request to increase its resident level due to an expansion of an existing residency training program or the establishment of a new residency training program that is not reflected on the most recent cost report that has been settled (or, if not, submitted (subject to audit)), after audit and subject to the discretion of the Secretary, the reference resident level for such hospital is the resident level for the cost reporting period that includes the additional residents attributable to such expansion or establishment, as determined by the Secretary.

''(C) CONSIDERATIONS IN REDISTRIBUTION.—In determining for which hospitals the increase in the otherwise applicable resident limit is provided under subparagraph (B) (other than an increase under subparagraph (B)(ii)), the Secretary shall take into account the demonstrated likelihood of the hospital filling the positions within the first 3 cost reporting periods beginning on or after July 1, 2010, made available under this paragraph, as determined by the Secretary.

''(D) PRIORITY FOR CERTAIN AREAS.—In determining for which hospitals the increase in the otherwise applicable resident limit is provided under subparagraph (B) (other than an increase under subparagraph (B)(ii)), the Secretary shall distribute the increase to hospitals based on the following criteria:

''(i) The Secretary shall give preference to hospitals that submit applications for new primary care and general surgery residency positions. In the case of any increase based on such preference, a hospital shall ensure that—

''(I) the position made available as a result of such increase remains a primary care or general surgery residency position for not less than 10 years after the date on which the position is filled; and

''(II) the total number of primary care and general surgery residency positions in the hospital (determined based on the number of such positions as of the date of such increase, including any position added as a result of such increase) is not decreased during such 10-year period.

In the case where the Secretary determines that a hospital no longer meets the requirement of subclause (II), the Secretary may reduce the otherwise applicable resident limit of the hospital by the amount by which such limit was increased under this paragraph.

''(ii) The Secretary shall give preference to hospitals that emphasizes training in community health centers and other community-based clinical settings.

''(iii) The Secretary shall give preference to hospitals in States that have more medical students than residency positions available (including a greater preference for those States with smaller resident-to-medical-student ratios). In determining the number of medical students in a State for purposes of the preceding sentence, the Secretary shall include planned students at medical schools which have provisional accreditation by the Liaison Committee on Medical Education or the American Osteopathic Association.

''(iv) The Secretary shall give preference to hospitals in States that have low resident-to-population ratios (including a greater preference for those States with lower resident-to-population ratios).

''(E) LIMITATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), in no case may a hospital (other than a hospital described in subparagraph (B)(ii)(I), subject to the limitation under subparagraph (B)(ii)(III)) apply for more than 50 full-time equivalent additional residency positions under this paragraph.

''(ii) INCREASE IN NUMBER OF ADDITIONAL POSITIONS AVAILABLE FOR DISTRIBUTION.—The Secretary shall increase the number of full-time equivalent additional residency positions a hospital may apply for under this paragraph if the Secretary determines that the number of additional residency positions available for distribution under subparagraph (A)(ii) exceeds the number of such applications approved.

''(F) APPLICATION OF PER RESIDENT AMOUNTS FOR PRIMARY CARE AND NONPRIMARY CARE.—With respect to additional residency positions in a hospital attributable to the increase provided under this paragraph, the approved FTE resident amounts are deemed to be equal to the hospital per resident amounts for primary care and nonprimary care computed under paragraph (2)(D) for that hospital.

''(G) DISTRIBUTION.—The Secretary shall distribute the increase to hospitals under this paragraph not later than 2 years after the date of enactment of this paragraph.''.

(b) IME.—

(1) IN GENERAL.—Section 1886(d)(5)(B)(v) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)(v)), in the second sentence, is amended—

(A) by striking ''subsection (h)(7)'' and inserting ''subsections (h)(7) and (h)(8)''; and

(B) by striking ''it applies'' and inserting ''they apply''.

(2) CONFORMING PROVISION.—Section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) is amended by adding at the end the following clause:

''(x) For discharges occurring on or after the date of enactment of this clause, insofar as an additional payment amount under this subparagraph is attributable to resident positions distributed to a hospital under subsection (h)(8)(B), the indirect teaching adjustment factor shall be computed in the same manner as provided under clause (ii) with respect to such resident positions.''.

SEC. 2327. COUNTING RESIDENT TIME IN OUTPATIENT SETTINGS.

(a) D–GME.—Section 1886(h)(4)(E) of the Social Security Act (42 U.S.C. 1395ww(h)(4)(E)) is amended—

(1) by striking ''under an approved medical residency training program''; and

(2) by striking ''if the hospital incurs all, or substantially all, of the costs for the training program in that setting'' and inserting ''if the hospital continues to incur the costs of the stipends and fringe benefits of the resident during the time the resident spends in that setting''.

(b) IME.—Section 1886(d)(5)(B)(iv) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)(iv)) is amended—

(1) by striking ''under an approved medical residency training program''; and

(2) by striking ''if the hospital incurs all, or substantially all, of the costs for the training program in that setting'' and inserting ''if the hospital continues to incur the costs of the stipends and fringe benefits of the intern or resident during the time the intern or resident spends in that setting''.

(c) EFFECTIVE DATES; APPLICATION.—

(1) IN GENERAL.—Effective for cost reporting periods beginning on or after July 1, 2009, the Secretary of Health and Human Services shall implement the amendments made by this section in a manner so as to apply to cost reporting periods beginning on or after July 1, 2009.

(2) APPLICATION.—The amendments made by this section shall not be applied in a manner that requires reopening of any settled hospital cost reports as to which there is not a jurisdictionally proper appeal pending as of the date of the enactment of this Act on the issue of payment for indirect costs of medical education under section 1886(d)(5)(B) of the Social Security (42 U.S.C. 1395ww(d)(5)(B))Act or for direct graduate medical education costs under section 1886(h) of such Act (42 U.S.C. 1395ww(h)).

SEC. 2328. RULES FOR COUNTING RESIDENT TIME FOR DIDACTIC AND SCHOLARLY ACTIVITIES AND OTHER ACTIVITIES.

(a) GME.—Section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)), as amended by section 2327(a), is amended—

(1) in paragraph (4)(E)—

(A) by designating the first sentence as a clause (i) with the heading ''IN GENERAL'' and appropriate indentation and by striking ''Such rules'' and inserting ''Subject to clause (ii), such rules''; and

(B) by adding at the end the following new clause:

''(ii) TREATMENT OF CERTAIN NONHOSPITAL AND DIDACTIC ACTIVITIES.—Such rules shall provide that all time spent by an intern or resident in an approved medical residency training program in a nonhospital setting that is primarily engaged in furnishing patient care (as defined in paragraph (5)(K)) in non-patient care activities, such as didactic conferences and seminars, but not including research not associated with the treatment or diagnosis of a particular patient, as such time and activities are defined by the Secretary, shall be counted toward the determination of full-time equivalency.'';

(2) in paragraph (4), by adding at the end the following new subparagraph:

''(I) In determining the hospital's number of full-time equivalent residents for purposes of this subsection, all the time that is spent by an intern or resident in an approved medical residency training program on vacation, sick leave, or other approved leave, as such time is defined by the Secretary, and that does not prolong the total time the resident is participating in the approved program beyond the normal duration of the program shall be counted toward the determination of full-time equivalency.''; and

(3) in paragraph (5), by adding at the end the following new subparagraph:

''(M) NONHOSPITAL SETTING THAT IS PRIMARILY ENGAGED IN FURNISHING PATIENT CARE.—The term 'nonhospital setting that is primarily engaged in furnishing patient care' means a nonhospital setting in which the primary activity is the care and treatment of patients, as defined by the Secretary.''.

(b) IME DETERMINATIONS.—Section 1886(d)(5)(B) of such Act (42 U.S.C. 1395ww(d)(5)(B)), as amended by section 2326(b), is amended by adding at the end the following new clause:

''(xi)(I) The provisions of subparagraph (I) of subsection (h)(4) shall apply under this subparagraph in the same manner as they apply under such subsection.

''(II) In determining the hospital's number of full-time equivalent residents for purposes of this subparagraph, all the time spent by

an intern or resident in an approved medical residency training program in non-patient care activities, such as didactic conferences and seminars, as such time and activities are defined by the Secretary, that occurs in the hospital shall be counted toward the determination of full-time equivalency if the hospital—

''(aa) is recognized as a subsection (d) hospital;

''(bb) is recognized as a subsection (d) Puerto Rico hospital;

''(cc) is reimbursed under a reimbursement system authorized under section 1814(b)(3); or

''(dd) is a provider-based hospital outpatient department.

''(III) In determining the hospital's number of full-time equivalent residents for purposes of this subparagraph, all the time spent by an intern or resident in an approved medical residency training program in research activities that are not associated with the treatment or diagnosis of a particular patient, as such time and activities are defined by the Secretary, shall not be counted toward the determination of full-time equivalency.''.

(c) EFFECTIVE DATES; APPLICATION.—

(1) IN GENERAL.—Except as otherwise provided, the Secretary of Health and Human Services shall implement the amendments made by this section in a manner so as to apply to cost reporting periods beginning on or after January 1, 1983.

(2) DIRECT GME.—Section 1886(h)(4)(E)(ii) of the Social Security Act, as added by subsection (a)(1)(B), shall apply to cost reporting periods beginning on or after July 1, 2009.

(3) IME.—Section 1886(d)(5)(B)(xi)(III) of the Social Security Act, as added by subsection (b), shall apply to cost reporting periods beginning on or after October 1, 2001. Such section, as so added, shall not give rise to any inference on how the law in effect prior to such date should be interpreted.

(4) APPLICATION.—The amendments made by this section shall not be applied in a manner that requires reopening of any settled hospital cost reports as to which there is not a jurisdictionally proper appeal pending as of the date of the enactment of this Act on the issue of payment for indirect costs of medical education under section 1886(d)(5)(B) of the Social Security Act or for direct graduate medical education costs under section 1886(h) of such Act.

SEC. 2329. PRESERVATION OF RESIDENT CAP POSITIONS FROM CLOSED AND ACQUIRED HOSPITALS.

(a) GME.—Section 1886(h)(4)(H) of the Social Security Act (42 U.S.C. Section 1395ww(h)(4)(H)) is amended by adding at the end the following new clauses:

''(vi) REDISTRIBUTION OF RESIDENCY SLOTS AFTER A HOSPITAL CLOSES.—

''(I) IN GENERAL.—Subject to the succeeding provisions of this clause, the Secretary shall, by regulation, establish a process under which, in the case where a hospital with an approved medical residency program closes on or after the date of enactment of the Balanced Budget Act of 1997, the Secretary shall increase the otherwise applicable resident limit under this paragraph for other hospitals in accordance with this clause.

''(II) PRIORITY FOR HOSPITALS IN CERTAIN AREAS.—Subject to the succeeding provisions of this clause, in determining for which hospitals the increase in the otherwise applicable resident limit is provided under such process, the Secretary shall distribute the increase to hospitals located in the following priority order (with preference given within each category to hospitals that are members of the same affiliated group (as defined by the Secretary under clause (ii)) as the closed hospital):

''(aa) First, to hospitals located in the same core-based statistical area as, or a core-based statistical area contiguous to, the hospital that closed.

''(bb) Second, to hospitals located in the same State as the hospital that closed.

''(cc) Third, to hospitals located in the same region of the country as the hospital that closed.

''(dd) Fourth, to all other hospitals.

''(III) REQUIREMENT HOSPITAL LIKELY TO FILL POSITION WITHIN CERTAIN TIME PERIOD.—The Secretary may only increase the otherwise applicable resident limit of a hospital under such process if the Secretary determines the hospital has demonstrated a likelihood of filling the positions made available under this clause within 3 years.

''(IV) LIMITATION.—The aggregate number of increases in the otherwise applicable resident limits for hospitals under this clause shall be equal to the number of resident positions in the approved medical residency programs that closed on or after the date described in subclause (I).

''(vii) SPECIAL RULE FOR ACQUIRED HOSPITALS.—

''(I) IN GENERAL.—In the case of a hospital that is acquired (through any mechanism) by another entity with the approval of a bankruptcy court, during a period determined by the Secretary (but not less than 3 years), the applicable resident limit of the acquired hospital shall, except as provided in subclause (II), be the applicable resident limit of the hospital that was acquired (as of the date immediately before the acquisition), without regard to whether the acquiring entity accepts assignment of the Medicare provider agreement of the hospital that was acquired, so long as the acquiring entity continues to operate the hospital that was acquired and to furnish services, medical residency programs, and volume of patients similar to the services, medical residency programs, and volume of patients of the hospital that was acquired (as determined by the Secretary) during such period.

''(II) LIMITATION.—Subclause (I) shall only apply in the case where an acquiring entity waives the right as a new provider under the program under this title to have the otherwise applicable resident limit of the acquired hospital re-established or increased.''.

(b) IME.—Section 1886(d)(5)(B)(v) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)(v)), in the second sentence, as amended by section 2326(b), is amended by striking ''subsections (h)(7) and (h)(8)'' and inserting ''subsections (h)(4)(H)(vi), (h)(4)(H)(vii), (h)(7), and (h)(8)''.

(c) APPLICATION.—The amendments made by this section shall not be applied in a manner that requires reopening of any settled hospital cost reports as to which there is not a jurisdictionally proper appeal pending as of the date of the enactment of this Act on the issue of payment for indirect costs of medical education under section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B))or for direct graduate medical education costs under section 1886(h) of such Act (42 U.S.C. 1395ww(h)).

(d) NO AFFECT ON TEMPORARY FTE CAP ADJUSTMENTS.—The amendments made by this section shall not affect any temporary adjustment to a hospital's FTE cap under section 413.79(h) of title 42, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. 2330. QUALITY IMPROVEMENT ORGANIZATION ASSISTANCE FOR PHYSICIAN PRACTICES SEEKING TO BE PATIENT-CENTERED MEDICAL HOME PRACTICES.

Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall revise the 9th Statement of Work under the Quality Improvement Program under part B of title XI of the Social Security Act to include a requirement that, in order to be an eligible Quality Improvement Organization (in this section referred to as a `QIO') for the 9th Statement of Work contract cycle, a QIO shall provide assistance, including technical assistance, to physicians under the Medicare program under title XVIII of the Social Security Act that seek to acquire the elements necessary to be recognized as a patient-centered medical home practice under the National Committee for Quality Assurance's Physician Practice Connections-PCMH module (or any successor module issued by such Committee).

Subtitle D—Studies

SEC. 2401. STUDY CONCERNING THE DESIGNATION OF PRIMARY CARE AS A SHORTAGE PROFESSION.

(a) IN GENERAL.—Not later than June 30, 2010, the Secretary of Labor shall conduct a study and submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions a report that contains—

(1) a description of the criteria for the designation of primary care physicians as professions in shortage as defined by the Secretary under section 212(a)(5)(A) of the Immigration and Nationality Act;

(2) the findings of the Secretary on whether primary care physician professions will, on the date on which the report is submitted, or within the 5-year period beginning on such date, satisfy the criteria referred to in paragraph (1); and

(3) if the Secretary finds that such professions will not satisfy such criteria, recommendations for modifications to such criteria to enable primary care physicians to be so designated as a profession in shortage.

(b) REQUIREMENTS.—In conducting the study under subsection (a), the Secretary of Labor shall consider workforce data from the Health Resources and Services Administration, the Council on Graduate Medical Education, the Association of American Medical Colleges, and input from physician membership organizations that represent primary care physicians.

SEC. 2402. STUDY CONCERNING THE EDUCATION DEBT OF MEDICAL SCHOOL GRADUATES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to evaluate the higher education-related indebtedness of medical school graduates in the United States at the time of graduation from medical school, and the impact of such indebtedness on specialty choice, including the impact on the field of primary care.

(b) REPORT.—

(1) SUBMISSION AND DISSEMINATION OF REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report on the study required by subsection (a) to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives, and shall make such report widely available to the public.

(2) ADDITIONAL REPORTS.—The Comptroller General may periodically prepare and release as necessary additional reports on the topic described in subsection (a).

SEC. 2403. STUDY ON MINORITY REPRESENTATION IN PRIMARY CARE.

(a) STUDY.—The Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, shall conduct a study of minority representation in training, and in practice, in primary care specialties.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, shall submit to the appropriate committees of Congress a report concerning the study conducted under subsection (a), including recommendations for achieving a primary care workforce that is more representative of the population of the United States.

TITLE III—MEDICARE PAYMENT PROVISIONS

SEC. 3001. SHORT TITLE.

This title may be cited as the ''Medicare Payment Improvement Act of 2009''.

SEC. 3002. FINDINGS.

Congress makes the following findings:

(1) The health care delivery system must be realigned to provide better clinical outcomes, safety, and patient satisfaction at lower cost. This should be a common goal for all health care professionals, hospitals, and other groups. Today's reimbursement system pays the most to those who perform the most services, and therefore can provide disincentives to efficient and high-quality providers.

(2) The regional inequities in Medicare reimbursement penalize areas that have cost-effective health care delivery systems and reward those States that have high utilization rates and provide inefficient care.

(3) According to the Dartmouth Health Atlas, over the past 10 years, a number of studies have explored the relationship between higher spending and the quality and outcomes of care. The findings are remarkably consistent, concluding that higher spending does not result in better quality of care.

(4) New payment models should be developed to move away from paying for quantity and instead paying for improving health and truly rewarding effective and efficient care.

SEC. 3003. VALUE INDEX UNDER THE MEDICARE PHYSICIAN FEE SCHEDULE.

(a) IN GENERAL.—Section 1848(e)(5) of the Social Security Act (42 U.S.C. 1395w–4 (e)) is amended by adding at the end the following new paragraph:

''(6) VALUE INDEX.—

''(A) IN GENERAL.—The Secretary shall determine a value index for each fee schedule area. The value index shall be the ratio of the quality component under subparagraph (B) to the cost component under subparagraph (C) for that fee schedule area.

''(B) QUALITY COMPONENT.—

''(i) IN GENERAL.—The quality component shall be based on a composite score that reflects quality measures available on a State or fee schedule area basis. The measures shall reflect health outcomes and health status for the Medicare population, patient safety, and patient satisfaction. The Secretary shall use the best data available, after consultation with the Agency for Healthcare Research and Quality and with private entities that compile quality data.

''(ii) ADVISORY GROUP.—

''(I) IN GENERAL.—Not later than 60 days after the date of enactment of the Medicare Payment Improvement Act of 2009, the Secretary shall establish a group of experts and stakeholders to make consensus recommendations to the Secretary regarding development of the quality component. The membership of the advisory group shall at least reflect providers, purchasers, health plans, researchers, relevant Federal agencies, and individuals with technical expertise on health care quality.

''(II) DUTIES.—In the development of recommendations with respect to the quality component, the group established under subclause (I) shall consider at least the following areas:

''(aa) High cost procedures as determined by data under this title.

''(bb) Health outcomes and functional status of patients.

''(cc) The continuity, management, and coordination of health care and care transitions, including episodes of care, for patients across the continuum of providers, health care settings, and health plans.

''(dd) Patient, caregiver, and authorized representative experience, quality and relevance of information provided to patients, caregivers, and authorized representatives, and use of information by patients, caregivers, and authorized representatives to inform decision making.

''(ee) The safety, effectiveness, and timeliness of care.

''(ff) The appropriate use of health care resources and services.

''(gg) Other items determined appropriate by the Secretary.

''(iii) REQUIREMENT.—In establishing the quality component under this subparagraph, the Secretary shall—

''(I) take into account the recommendations of the group established under clause (ii)(I); and

''(II) provide for an open and transparent process for the activities conducted pursuant to the convening of such group with respect to the development of the quality component.

''(iv) ESTABLISHMENT.—The quality component for each fee schedule area shall be the ratio of the quality score for such area to the national average quality score.

''(v) QUALITY BASELINE.—If the quality component for a fee schedule area does not rank in the top 25th percentile as compared to the national average (as determined by the Secretary) and the amount of reimbursement for services under this section is greater than the amount of reimbursement for such services that would have applied under this section if the amendments made by section 2 of the Medicare Payment Improvement Act of 2009 had not been enacted, this section shall be applied as if such amendments had not been enacted.

''(vi) APPLICATION.—In the case of a fee schedule area that is less than an entire State, if available quality data is not sufficient to measure quality at the sub-State level, the quality component for a sub-State fee schedule area shall be the quality component for the entire State.

''(C) COST COMPONENT.—

''(i) IN GENERAL.—The cost component shall be total annual per beneficiary Medicare expenditures under part A and this part for the fee schedule area. The Secretary may use total per beneficiary expenditures under such parts in the last two years of life as an alternative measure if the Secretary determines that such measure better takes into account severity differences among fee schedule areas.

''(ii) ESTABLISHMENT.—The cost component for a fee schedule area shall be the ratio of the cost per beneficiary for such area to the national average cost per beneficiary.''.

(b) CONFORMING AMENDMENTS.—Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) in subsection (b)(1)(C), by striking ''geographic'' and inserting ''geographic and value''; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in the heading, by inserting ''AND VALUE'' after ''GEOGRAPHIC'';

(ii) in subparagraph (A), by striking clause (iii) and inserting the following new clause:

''(iii) a value index (as defined in paragraph (6)) applicable to physician work.'';

(iii) in subparagraph (C), by inserting ''and value'' after ''geographic'' in the first sentence;

(iv) in subparagraph (D), by striking ''physician work effort'' and inserting ''value'';

(v) by striking subparagraph (E); and

(vi) by striking subparagraph (G);

(B) by striking paragraph (2) and inserting the following new paragraph:

''(2) COMPUTATION OF GEOGRAPHIC AND VALUE ADJUSTMENT FACTOR.—For purposes of subsection (b)(1)(C), for all physicians' services for each fee schedule area the Secretary shall establish a geographic and value adjustment factor equal to the sum of the geographic cost-of-practice adjustment factor (specified in paragraph (3)), the geographic malpractice adjustment factor (specified in paragraph (4)), and the value adjustment factor (specified in paragraph (5)) for the service and the area.''; and

(C) by striking paragraph (5) and inserting the following new paragraph:

''(5) PHYSICIAN WORK VALUE ADJUSTMENT FACTOR.—For purposes of paragraph (2), the 'physician work value adjustment factor' for a service for a fee schedule area, is the product of—

''(A) the proportion of the total relative value for the service that reflects the relative value units for the work component; and

''(B) the value index score for the area, based on the value index established under paragraph (6).''.

(c) AVAILABILITY OF QUALITY COMPONENT PRIOR TO IMPLEMENTATION.—The Secretary of Health and Human Services shall make the quality component described in section 1848(c)(6)(B) of the Social Security Act, as added by subsection (a), for each fee schedule area available to the public by not later than July 1, 2011.

(d) EFFECTIVE DATE.—Subject to subsection (e), the amendments made by this section shall apply to the Medicare physician fee schedule for 2012 and each subsequent year.

(e) TRANSITION.—Notwithstanding the amendments made by the preceding provisions of this section, the Secretary of Health and Human Services shall provide for an appropriate transition to the amendments made by this section. Under such transition, in the case of payments under such fee schedule for services furnished during—

(1) 2012, 25 percent of such payments shall be based on the amount of payment that would have applied to the services if such amendments had not been enacted and 75 percent of such payment shall be based on the amount of payment that would have applied to the services if such amendments had been fully implemented;

(2) 2013, 50 percent of such payment shall be based on the amount of payment that would have applied to the services if such amendments had not been enacted and 50 percent of such payment shall be based on the amount of payment that would have applied to the services if such amendments had been fully implemented; and

(3) 2014 and subsequent years, 100 percent of such payment shall be based on the amount of payment that is applicable under such amendments.

TITLE IV—LONG-TERM SERVICES PROVISIONS

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Home and Community Balanced Incentives Act of 2009''.

Subtitle A—Balancing Incentives

SEC. 4101. ENHANCED FMAP FOR EXPANDING THE PROVISION OF NON-INSTITUTIONALLY-BASED LONG-TERM SERVICES AND SUPPORTS.

(a) ENHANCED FMAP TO ENCOURAGE EXPANSION.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in the first sentence of subsection (b)—

(A) by striking '', and (4)'' and inserting '', (4)''; and

(B) by inserting before the period the following: '', and (5) in the case of a balancing incentive payment State, as defined in subsection (y)(1), that meets the conditions described in subsection (y)(2), the Federal medical assistance percentage shall be increased by the applicable number of percentage points determined under subsection (y)(3) for the State with respect to medical assistance described in subsection (y)(4)''; and

(2) by adding at the end the following new subsection:

''(y) STATE BALANCING INCENTIVE PAYMENTS PROGRAM.—For purposes of clause (5) of the first sentence of subsection (b):

''(1) BALANCING INCENTIVE PAYMENT STATE.—A balancing incentive payment State is a State—

''(A) in which less than 50 percent of the total expenditures for medical assistance for fiscal year 2009 for long-term services and supports (as defined by the Secretary, subject to paragraph (5)) are for non-institutionally-based long-term services and supports described in paragraph (5)(B);

''(B) that submits an application and meets the conditions described in paragraph (2); and

''(C) that is selected by the Secretary to participate in the State balancing incentive payment program established under this subsection.

''(2) CONDITIONS.—The conditions described in this paragraph are the following:

''(A) APPLICATION.—The State submits an application to the Secretary that includes the following:

''(i) A description of the availability of non-institutionally-based long-term services and supports described in paragraph (5)(B) available (for fiscal years beginning with fiscal year 2009).

''(ii) A description of eligibility requirements for receipt of such services.

''(iii) A projection of the number of additional individuals that the State expects to provide with such services to during the 5-fiscal year period that begins with fiscal year 2011.

''(iv) An assurance of the State's commitment to a consumer-directed long-term services and supports system that values quality of life in addition to quality of care and in which beneficiaries are empowered to choose providers and direct their own care as much as possible.

''(v) A proposed budget that details the State's plan to expand and diversify medical assistance for non-institutionally-based long-term services and supports described in paragraph (5)(B) during such 5-fiscal year period, and that includes—

''(I) a description of the new or expanded offerings of such services that the State will provide; and

''(II) the projected costs of the services identified in subclause (I).

''(vi) A description of how the State intends to achieve the target spending percentage applicable to the State under subparagraph (B).

''(vii) An assurance that the State will not use Federal funds, revenues described in section 1903(w)(1), or revenues obtained through the imposition of beneficiary cost-sharing for medical assistance for non-institutionally-based long-term services and supports described in paragraph (5)(B) for the non-federal share of expenditures for medical assistance described in paragraph (4).

''(B) TARGET SPENDING PERCENTAGES.—

''(i) In the case of a balancing incentive payment State in which less than 25 percent of the total expenditures for home and community-based services under the State plan and the various waiver authorities for fiscal year 2009 are for such services, the target spending percentage for the State to achieve by not later than October 1, 2015, is that 25 percent of the total expenditures for home and community-based services under the State plan and the various waiver authorities are for such services.

''(ii) In the case of any other balancing incentive payment State, the target spending percentage for the State to achieve by not later than October 1, 2015, is that 50 percent of the total expenditures for home and community-based services under the State plan and the various waiver authorities are for such services.

''(C) MAINTENANCE OF ELIGIBILITY REQUIREMENTS.—The State does not apply eligibility standards, methodologies, or procedures for determining eligibility for medical assistance for non-institutionally-based long-term services and supports described in paragraph (5)(B)) that are more restrictive than the eligibility standards, methodologies, or procedures in effect for such purposes on December 31, 2010.

''(D) USE OF ADDITIONAL FUNDS.—The State agrees to use the additional Federal funds paid to the State as a result of this subsection only for purposes of providing new or expanded offerings of non-institutionally-based long-term services and supports described in paragraph (5)(B) (including expansion through offering such services to increased numbers of beneficiaries of medical assistance under this title).

''(E) STRUCTURAL CHANGES.—The State agrees to make, not later than the end of the 6-month period that begins on the date the State submits and application under this paragraph, such changes to the administration of the State plan (and, if applicable, to waivers approved for the State that involve the provision of long-term care services and supports) as the Secretary determines, by regulation or otherwise, are essential to achieving an improved balance between the provision of non-institutionally-based long-term services and supports described in paragraph (5)(B) and other long-term services and supports, and which shall include the following:

''(i) 'NO WRONG DOOR'—SINGLE ENTRY POINT SYSTEM.—Development of a statewide system to enable consumers to access all long-term services and supports through an agency, organization, coordinated network, or portal, in accordance with such standards as the State shall establish and that—

''(I) shall require such agency, organization, network, or portal to provide—

''(aa) consumers with information regarding the availability of such services, how to apply for such services, and other referral services; and

''(bb) information regarding, and make recommendations for, providers of such services; and

''(II) may, at State option, permit such agency, organization, network, or portal to—

''(aa) determine financial and functional eligibility for such services and supports; and

''(bb) provide or refer eligible individuals to services and supports otherwise available in the community (under programs other than the State program under this title), such as housing, job training, and transportation.

''(ii) PRESUMPTIVE ELIGIBILITY.—At the option of the State, provision of a 60-day period of presumptive eligibility for medical assistance for non-institutionally-based long-term services and supports described in paragraph (5)(B) for any individual whom the State has reason to believe will qualify for such medical assistance (provided that any expenditures for such medical assistance during such period are disregarded for purposes of determining the rate of erroneous excess payments for medical assistance under section 1903(u)(1)(D)).

''(iii) CASE MANAGEMENT.—Development, in accordance with guidance from the Secretary, of conflict-free case management services to—

''(I) address transitioning from receipt of institutionally-based long-term services and supports described in paragraph (5)(A) to receipt of non-institutionally-based long-term services and supports described in paragraph (5)(B); and

''(II) in conjunction with the beneficiary, assess the beneficiary's needs and , if appropriate, the needs of family caregivers for the beneficiary, and develop a service plan, arrange for services and supports, support the beneficiary (and, if appropriate, the caregivers) in directing the provision of services and supports, for the beneficiary, and conduct ongoing monitoring to assure that services and supports are delivered to meet the beneficiary's needs and achieve intended outcomes.

''(iv) CORE STANDARDIZED ASSESSMENT INSTRUMENTS.—Development of core standardized assessment instruments for determining eligibility for non-institutionally-based long-term services and supports described in paragraph (5)(B), which shall be used in a uniform manner throughout the State, to—

''(I) assess a beneficiary's eligibility and functional level in terms of relevant areas that may include medical, cognitive, and behavioral status, as well as daily living skills, and vocational and communication skills;

''(II) based on the assessment conducted under subclause (I), determine a beneficiary's needs for training, support services, medical care, transportation, and other services, and develop an individual service plan to address such needs;

''(III) conduct ongoing monitoring based on the service plan; and

''(IV) require reporting of collect data for purposes of comparison among different service models.

''(F) DATA COLLECTION.—Collecting from providers of services and through such other means as the State determines appropriate the following data:

''(i) SERVICES DATA.—Services data from providers of non-institutionally-based long-term services and supports described in paragraph (5)(B) on a per-beneficiary basis and in accordance with such standardized coding procedures as the State shall establish in consultation with the Secretary.

''(ii) QUALITY DATA.—Quality data on a selected set of core quality measures agreed upon by the Secretary and the State that are linked to population-specific outcomes measures and accessible to providers.

''(iii) OUTCOMES MEASURES.—Outcomes measures data on a selected set of core population-specific outcomes measures agreed upon by the Secretary and the State that are accessible to providers and include—

''(I) measures of beneficiary and family caregiver experience with providers;

''(II) measures of beneficiary and family caregiver satisfaction with services; and

''(III) measures for achieving desired outcomes appropriate to a specific beneficiary, including employment, participation in community life, health stability, and prevention of loss in function.

''(3) APPLICABLE NUMBER OF PERCENTAGE POINTS INCREASE IN FMAP.—The applicable number of percentage points are—

''(A) in the case of a balancing incentive payment State subject to the target spending percentage described in paragraph (2)(B)(i), 5 percentage points; and

''(B) in the case of any other balancing incentive payment State, 2 percentage points.

''(4) ELIGIBLE MEDICAL ASSISTANCE EXPENDITURES.—

''(A) IN GENERAL.—Subject to subparagraph (B), medical assistance described in this paragraph is medical assistance for non-institutionally-based long-term services and supports described in paragraph (5)(B) that is provided during the period that begins on October 1, 2011, and ends on September 30, 2015.

''(B) LIMITATION ON PAYMENTS.—In no case may the aggregate amount of payments made by the Secretary to balancing incentive payment States under this subsection during the period described in subparagraph (A), or to a State to which paragraph (6) of the first sentence of subsection (b) applies, exceed $3,000,000,000.

''(5) LONG-TERM SERVICES AND SUPPORTS DEFINED.—In this subsection, the term 'long-term services and supports' has the meaning given that term by Secretary and shall include the following:

''(A) INSTITUTIONALLY-BASED LONG-TERM SERVICES AND SUPPORTS.—Services provided in an institution, including the following:

''(i) Nursing facility services.

''(ii) Services in an intermediate care facility for the mentally retarded described in subsection (a)(15).

''(B) NON-INSTITUTIONALLY-BASED LONG-TERM SERVICES AND SUPPORTS.—Services not provided in an institution, including the following:

''(i) Home and community-based services provided under subsection (c), (d), or (i), of section 1915 or under a waiver under section 1115.

''(ii) Home health care services.

''(iii) Personal care services.

''(iv) Services described in subsection (a)(26) (relating to PACE program services).

''(v) Self-directed personal assistance services described in section 1915(j)''.

(b) ENHANCED FMAP FOR CERTAIN STATES TO MAINTAIN THE PROVISION OF HOME AND COMMUNITY-BASED SERVICES.—The first sentence of section 1905(b) of such Act (42 U.S.C. 1396d(b)), as amended by subsection (a), is amended

(1) by striking '', and (5)'' and inserting '', (5)''; and

(2) by inserting before the period the following: '', and (6) in the case of a State in which at least 50 percent of the total expenditures for medical assistance for fiscal year 2009 for long-term services and supports (as defined by the Secretary for purposes of subsection (y)) are for non-institutionally-based long-term services and supports described in subsection (y)(5)(B), and which satisfies the requirements of subparagraphs (A) (other than clauses (iii), (v), and (vi)), (C), and (F) of subsection (y)(2), and has implemented the structural changes described in each clause of subparagraph (E) of that subsection, the Federal medical assistance percentage shall be increased by 1 percentage point with respect to medical assistance described in subparagraph (A) of subsection (y)(4) (but subject to the limitation described in subparagraph (B) of that subsection)''.

(c) GRANTS TO SUPPORT STRUCTURAL CHANGES.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall award grants to States for the following purposes:

(A) To support the development of common national set of coding methodologies and databases related to the provision of non-institutionally-based long-term services and supports described in paragraph (5)(B) of section 1905(y) of the Social Security Act (as added by subsection (a)).

(B) To make structural changes described in paragraph (2)(E) of section 1905(y) to the State Medicaid program.

(2) PRIORITY.—In awarding grants for the purpose described in paragraph (1)(A), the Secretary of Health and Human Services shall give priority to States in which at least 50 percent of the total expenditures for medical assistance under the State Medicaid program for fiscal year 2009 for long-term services and supports, as defined by the Secretary for purposes of section 1905(y) of the Social Security Act, are for non-institutionally-based long-term services and supports described in paragraph (5)(B) of such section.

(3) COLLABORATION.—States awarded a grant for the purpose described in paragraph (1)(A) shall collaborate with other States, the National Governor's Association, the National Conference of State Legislatures, the National Association of State Medicaid Directors, the National Association of State Directors of Developmental Disabilities, and other appropriate organizations in developing specifications for a common national set of coding methodologies and databases.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, such sums as may be necessary for each of fiscal years 2010 through 2012.

(d) AUTHORITY FOR INDIVIDUALIZED BUDGETS UNDER WAIVERS TO PROVIDE HOME AND COMMUNITY-BASED SERVICES.—In the case of any waiver to provide home and community-based services under subsection (c) or (d) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or section 1115 of such Act (42 U.S.C. 1315), that is approved or renewed after the date of enactment of this Act, the Secretary of Health and Human Services shall permit a State to establish individualized budgets that identify the dollar value of the services and supports to be provided to an individual under the waiver.

(e) OVERSIGHT AND ASSESSMENT.—

(1) DEVELOPMENT OF STANDARDIZED REPORTING REQUIREMENTS.—

(A) STANDARDIZATION OF DATA AND OUTCOME MEASURES.—The Secretary of Health and Human Services shall consult with States and the National Governor's Association, the National Conference of State Legislatures, the National Association of State Medicaid Directors, the National Association of State Directors of Developmental Disabilities, and other appropriate organizations to develop specifications for standardization of—

(i) reporting of assessment data for long-term services and supports (as defined by the Secretary for purposes of section 1905(y)(5) of the Social Security Act) for each population served, including information standardized for purposes of certified EHR technology (as defined in section 1903(t)(3)(A) of the Social Security Act (42 U.S.C. 1396b(t)(3)(A)) and under other electronic medical records initiatives; and

(ii) outcomes measures that track assessment processes for long-term services and supports (as so defined) for each such population that maintain and enhance individual function, independence, and stability.

(2) ADMINISTRATION OF HOME AND COMMUNITY SERVICES.—The Secretary of Health and Human Services shall promulgate regulations to ensure that all States develop service systems that are designed to—

(A) allocate resources for services in a manner that is responsive to the changing needs and choices of beneficiaries receiving non-institutionally-based long-term services and supports described in paragraph (5)(B) of section 1905(y) of the Social Security Act (as added by subsection (a)) (including such services and supports that are provided under programs other the State Medicaid program), and that provides strategies for beneficiaries receiving such services to maximize their independence;

(B) provide the support and coordination needed for a beneficiary in need of such services (and their family caregivers or representative, if applicable) to design an individualized, self-directed, community-supported life; and

(C) improve coordination among all providers of such services under federally and State-funded programs in order to—

(i) achieve a more consistent administration of policies and procedures across programs in relation to the provision of such services; and

(ii) oversee and monitor all service system functions to assure—

(I) coordination of, and effectiveness of, eligibility determinations and individual assessments; and

(II) development and service monitoring of a complaint system, a management system, a system to qualify and monitor providers, and systems for role-setting and individual budget determinations.

(3) MONITORING.—The Secretary of Health and Human Services shall assess on an ongoing basis and based on measures specified by the Agency for Healthcare Research and Quality, the safety and quality of non-institutionally-based long-term services and supports described in paragraph (5)(B) of section 1905(y) of that Act provided to beneficiaries of such services and supports and the outcomes with regard to such beneficiaries' experiences with such services. Such oversight shall include examination of—

(A) the consistency, or lack thereof, of such services in care plans as compared to those services that were actually delivered; and

(B) the length of time between when a beneficiary was assessed for such services, when the care plan was completed, and when the beneficiary started receiving such services.

(4) GAO STUDY AND REPORT.—The Comptroller General of the United States shall study the longitudinal costs of Medicaid beneficiaries receiving long-term services and supports (as defined by the Secretary for purposes of section 1905(y)(5) of the Social Security Act) over 5-year periods across various programs, including the non-institutionally-based long-term services and supports described in paragraph (5)(B) of such section, PACE program services under section 1894 of the Social Security Act (42 U.S.C. 1395eee, 1396u–4), and services provided under specialized MA plans for special needs individuals under part C of title XVIII of the Social Security Act.

Subtitle B—Strengthening the Medicaid Home and Community-Based State Plan Amendment Option

SEC. 4201. REMOVAL OF BARRIERS TO PROVIDING HOME AND COMMUNITY-BASED SERVICES UNDER STATE PLAN AMENDMENT OPTION FOR INDIVIDUALS IN NEED.

(a) PARITY WITH INCOME ELIGIBILITY STANDARD FOR INSTITUTIONALIZED INDIVIDUALS.—Paragraph (1) of section 1915(i) of the Social Security Act (42 U.S.C. 1396n(i)) is amended by striking ''150 percent of the poverty line (as defined in section 2110(c)(5))'' and inserting ''300 percent of the supplemental security income benefit rate established by section 1611(b)(1)''.

(b) ADDITIONAL STATE OPTIONS.—Section 1915(i) of the Social Security Act (42 U.S.C. 1396n(i)) is amended by adding at the end the following new paragraphs:

''(6) STATE OPTION TO PROVIDE HOME AND COMMUNITY-BASED SERVICES TO INDIVIDUALS ELIGIBLE FOR SERVICES UNDER A WAIVER.—

''(A) IN GENERAL.—A State that provides home and community-based services in accordance with this subsection to individuals who satisfy the needs-based criteria for the receipt of such services established under paragraph (1)(A) may, in addition to continuing to provide such services to such individuals, elect to provide home and community-based services in accordance with the requirements of this paragraph to individuals who are eligible for home and community-based services under a waiver approved for the State under subsection (c), (d), or (e) or under section 1115 to provide such services, but only for those individuals whose income does not exceed 300 percent of the supplemental security income benefit rate established by section 1611(b)(1).

''(B) APPLICATION OF SAME REQUIREMENTS FOR INDIVIDUALS SATISFYING NEEDS-BASED CRITERIA.—Subject to subparagraph (C), a State shall provide home and community-based services to individuals under this paragraph in the same manner and subject to the same requirements as apply under the other paragraphs of this subsection to the provision of home and community-based services to individuals who satisfy the needs-based criteria established under paragraph (1)(A).

''(C) AUTHORITY TO OFFER DIFFERENT TYPE, AMOUNT, DURATION, OR SCOPE OF HOME AND COMMUNITY-BASED SERVICES.—A State may offer home and community-based services to individuals under this paragraph that differ in type, amount, duration, or scope from the home and community-based services offered for individuals who satisfy the needs-based criteria established under paragraph (1)(A), so long as such services are within the scope of services described in paragraph (4)(B) of subsection (c) for which the Secretary has the authority to approve a waiver and do not include room or board.

''(7) STATE OPTION TO OFFER HOME AND COMMUNITY-BASED SERVICES TO SPECIFIC, TARGETED POPULATIONS.—

''(A) IN GENERAL.—A State may elect in a State plan amendment under this subsection to target the provision of home and community-based services under this subsection to specific populations and to differ the type, amount, duration, or scope of such services to such specific populations.

''(B) 5-YEAR TERM.—

''(i) IN GENERAL.—An election by a State under this paragraph shall be for a period of 5 years.

''(ii) PHASE-IN OF SERVICES AND ELIGIBILITY PERMITTED DURING INITIAL 5-YEAR PERIOD.—A State making an election under this paragraph may, during the first 5-year period for which the election is made, phase-in the enrollment of eligible individuals, or the provision of services to such individuals, or both, so long as all eligible individuals in the State for such services are enrolled, and all such services are provided, before the end of the initial 5-year period.

''(C) RENEWAL.—An election by a State under this paragraph may be renewed for additional 5-year terms if the Secretary determines, prior to beginning of each such renewal period, that the State has—

''(i) adhered to the requirements of this subsection and paragraph in providing services under such an election; and

''(ii) met the State's objectives with respect to quality improvement and beneficiary outcomes.''.

(c) REMOVAL OF LIMITATION ON SCOPE OF SERVICES.—Paragraph (1) of section 1915(i) of the Social Security Act (42 U.S.C. 1396n(i)), as amended by subsection (a), is amended by striking ''or such other services requested by the State as the Secretary may approve''.

(d) OPTIONAL ELIGIBILITY CATEGORY TO PROVIDE FULL MEDICAID BENEFITS TO INDIVIDUALS RECEIVING HOME AND COMMUNITY-BASED SERVICES UNDER A STATE PLAN AMENDMENT.—

(1) IN GENERAL.—Section 1902(a)(10)(A)(ii) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(ii)) is amended—

(A) in subclause (XVIII), by striking ''or'' at the end;

(B) in subclause (XIX), by adding ''or'' at the end; and

(C) by inserting after subclause (XIX), the following new subclause:

''(XX) who are eligible for home and community-based services under needs-based criteria established under paragraph (1)(A) of section 1915(i), or who are eligible for home and community-based services under paragraph (6) of such section, and who will receive home and community-based services pursuant to a State plan amendment under such subsection;''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1903(f)(4) of the Social Security Act (42 U.S.C. 1396b(f)(4)) is amended in the matter preceding subparagraph (A), by inserting ''1902(a)(10)(A)(ii)(XX),'' after ''1902(a)(10)(A)(ii)(XIX),''.

(B) Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended in the matter preceding paragraph (1)—

(i) in clause (xii), by striking ''or'' at the end;

(ii) in clause (xiii), by adding ''or'' at the end; and

(iii) by inserting after clause (xiii) the following new clause:

''(xiv) individuals who are eligible for home and community-based services under needs-based criteria established under paragraph (1)(A) of section 1915(i), or who are eligible for home and community-based services under paragraph (6) of such section, and who will receive home and community-based services pursuant to a State plan amendment under such subsection,''.

(e) ELIMINATION OF OPTION TO LIMIT NUMBER OF ELIGIBLE INDIVIDUALS OR LENGTH OF PERIOD FOR GRANDFATHERED INDIVIDUALS IF ELIGIBILITY CRITERIA IS MODIFIED.—Paragraph (1) of section 1915(i) of such Act (42 U.S.C. 1396n(i)) is amended—

(1) by striking subparagraph (C) and inserting the following:

''(C) PROJECTION OF NUMBER OF INDIVIDUALS TO BE PROVIDED HOME AND COMMUNITY-BASED SERVICES.—The State submits to the Secretary, in such form and manner, and upon such frequency as the Secretary shall specify, the projected number of individuals to be provided home and community-based services.''; and

(2) in subclause (II) of subparagraph (D)(ii), by striking ''to be eligible for such services for a period of at least 12 months beginning on the date the individual first received medical assistance for such services'' and inserting ''to continue to be eligible for such services after the effective date of the modification and until such time as the individual no longer meets the standard for receipt of such services under such pre-modified criteria''.

(f) ELIMINATION OF OPTION TO WAIVE STATEWIDENESS; ADDITION OF OPTION TO WAIVE COMPARABILITY.—Paragraph (3) of section 1915(i) of such Act (42 U.S.C. 1396n(3)) is amended by striking ''1902(a)(1) (relating to statewideness)'' and inserting ''1902(a)(10)(B) (relating to comparability)''.

(g) EFFECTIVE DATE.—The amendments made by this section take effect on the first day of the first fiscal year quarter that begins after the date of enactment of this Act.

SEC. 4202. MANDATORY APPLICATION OF SPOUSAL IMPOVERISHMENT PROTECTIONS TO RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES.

(a) IN GENERAL.—Section 1924(h)(1)(A) of the Social Security Act (42 U.S.C. 1396r–5(h)(1)(A)) is amended by striking ''(at the option of the State) is described in section 1902(a)(10)(A)(ii)(VI)'' and inserting ''is eligible for medical assistance for home and community-based services under subsection (c), (d), (e), or (i) of section 1915''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on October 1, 2009.

SEC. 4203. STATE AUTHORITY TO ELECT TO EXCLUDE UP TO 6 MONTHS OF AVERAGE COST OF NURSING FACILITY SERVICES FROM ASSETS OR RESOURCES FOR PURPOSES OF ELIGIBILITY FOR HOME AND COMMUNITY-BASED SERVICES.

(a) IN GENERAL.—Section 1917 of the Social Security Act (42 U.S.C. 1396p) is amended by adding at the end the following new subsection:

''(i) STATE AUTHORITY TO EXCLUDE UP TO 6 MONTHS OF AVERAGE COST OF NURSING FACILITY SERVICES FROM HOME AND COMMUNITY-BASED SERVICES ELIGIBILITY DETERMINATIONS.—Nothing in this section or any other provision of this title, shall be construed as prohibiting a State from excluding from any determination of an individual's assets or resources for purposes of determining the eligibility of the individual for medical assistance for home and community-based services under subsection (c), (d), (e), or (i) of section 1915 (if a State imposes an limitation on assets or resources for purposes of eligibility for such services), an amount equal to the product of the amount applicable under subsection (c)(1)(E)(ii)(II) (at the time such determination is made) and such number, not to exceed 6, as the State may elect.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) shall be construed as affecting a State's option to apply less restrictive methodologies under section 1902(r)(2) for purposes of determining income and resource eligibility for individuals specified in that section.

Subtitle C—Coordination of Home and Community-Based Waivers

SEC. 4301. STREAMLINED PROCESS FOR COMBINED WAIVERS UNDER SUBSECTIONS (B) AND (C) OF SECTION 1915 .

Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall create a template to streamline the process of approving, monitoring, evaluating, and renewing State proposals to conduct a program that combines the waiver authority provided under subsections (b) and (c) of section 1915 of the Social Security Act (42 U.S.C. 1396n) into a single program under which the State provides home and community-based services to individuals based on individualized assessments and care plans (in this section referred to as the ''combined waivers program''). The template required under this section shall provide for the following:

(1) A standard 5-year term for conducting a combined waivers program.

(2) Harmonization of any requirements under subsections (b) and (c) of such section that overlap.

(3) An option for States to elect, during the first 5-year term for which the combined waivers program is approved to phase-in the enrollment of eligible individuals, or the provision of services to such individuals, or both, so long as all eligible individuals in the State for such services are enrolled, and all such services are provided, before the end of the initial 5-year period.

(4) Examination by the Secretary, prior to each renewal of a combined waivers program, of how well the State has—

(A) adhered to the combined waivers program requirements; and

(B) performed in meeting the State's objectives for the combined waivers program, including with respect to quality improvement and beneficiary outcomes.

TITLE V—HOME AND COMMUNITY-BASED SERVICES PROVISIONS

SEC. 5001. SHORT TITLE.

This Act may be cited as the ''Project 2020: Building on the Promise of Home and Community-Based Services Act of 2009''.

SEC. 5002. LONG-TERM SERVICES AND SUPPORTS.

The Social Security Act (42 U.S.C. 301 et seq.) is amended by adding at the end the following:

"TITLE XXII—LONG-TERM SERVICES AND SUPPORTS

"SEC. 2201. DEFINITIONS.

''Except as otherwise provided, the terms used in this title have the meanings given the terms in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

"Subtitle A—Single-Entry Point System Program

"SEC. 2211. STATE SINGLE-ENTRY POINT SYSTEMS.

''(a) DEFINITIONS.—In this title:

''(1) LONG-TERM SERVICES AND SUPPORTS.—The term 'long-term services and supports' means any service (including a disease prevention and health promotion service, an in-home service, or a case management service), care, or item (including an assistive device) that is—

''(A) intended to assist individuals in coping with, and, to the extent practicable, compensating for, functional impairment in carrying out activities of daily living;

''(B) furnished at home, in a community care setting, including a small community care setting (as defined in section 1929(g)(1)) and a large community care setting (as defined in section 1929(h)(1)), or in a long-term care facility; and

''(C) not furnished to diagnose, treat, or cure a medical disease or condition.

''(2) SINGLE-ENTRY POINT SYSTEM.—The term 'single-entry point system' means any coordinated system for providing—

''(A) comprehensive information to consumers and caregivers on the full range of available public and private long-term services and supports, options, service providers, and resources, including information on the availability of integrated long-term care, including consumer directed care options;

''(B) personal counseling to assist individuals in assessing their existing or anticipated long-term care needs, and developing and implementing a plan for long-term care designed to meet their specific needs and circumstances; and

''(C) consumers and caregivers access to the range of publicly supported and privately supported long-term services and supports that are available.

''(b) PROGRAM.—The Secretary shall establish and carry out a single-entry point system program. In carrying out the program, the Secretary shall make grants to States, from allotments described in subsection (c), to pay for the Federal share of the cost of establishing State single-entry point systems.

''(c) ALLOTMENTS.—

''(1) ALLOTMENTS TO INDIAN TRIBES AND TERRITORIES.—

''(A) RESERVATION.—The Secretary shall reserve from the funds made available under subsection (g)—

''(i) for fiscal year 2010, $1,962,456; and

''(ii) for each subsequent fiscal year, $1,962,456, increased by the percentage increase in the Consumer Price Index for All Urban Consumers, between October of the fiscal year preceding the subsequent fiscal year and October, 2007.

''(B) ALLOTMENTS.—The Secretary shall use the funds reserved under subparagraph (A) to make allotments to—

''(i) Indian tribes; and

''(ii) Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

''(2) ALLOTMENTS TO STATES.—

''(A) IN GENERAL.—

''(i) AMOUNT.—The Secretary shall allot to each eligible State for a fiscal year the sum of the fixed amount determined under subparagraph (B), and the allocation determined under subparagraph (C), for the State.

''(ii) SUBGRANTS TO AREA AGENCIES ON AGING.—

''(I) IN GENERAL.—Each State agency receiving an allotment under clause (i) shall use such allotment to make subgrants to area agencies on aging that can demonstrate performance capacity to carry out activities described in this section whether such area agency on aging carries out the activities directly or through contract with an aging network or disability entity.

''(II) SUBGRANTS TO OTHER ENTITIES.—A State agency may make subgrants described in subclause (I) to other qualified aging network or disability entities only if the area agency on aging chooses not to apply for a subgrant or is not able to demonstrate performance capacity to carry out the activities described in this section.

''(III) SUBGRANTEE RECIPIENT SUBGRANTS.—An administrator of a single-entry point system established by a State receiving an allotment under clause (i) shall make any necessary subgrants to key partners involved in developing, planning, or implementing the single-entry point system. Such partners may include centers for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

''(B) FIXED AMOUNTS FOR STATES.—

''(i) RESERVATION.—The Secretary shall reserve from the funds made available under subsection (g)—

''(I) for fiscal year 2010, $15,759,000; and

''(II) for each subsequent fiscal year, $15,759,000, increased by the percentage increase in the Consumer Price Index for All Urban Consumers, between October of the fiscal year preceding the subsequent fiscal year and October, 2007.

''(ii) FIXED AMOUNTS.—The Secretary shall use the funds reserved under clause (i) to provide equal fixed amounts to the States.

''(C) ALLOCATION FOR STATES.—The Secretary shall allocate to each eligible State for a fiscal year an amount that bears the same relationship to the funds made available under subsection (g) (and not reserved under paragraph (1) or subparagraph (B)) for that fiscal year as the number of persons who are either older individuals or individuals with disabilities in that State bears to the number of such persons or individuals in all the States.

''(D) DETERMINATION OF NUMBER OF PERSONS.—

''(i) OLDER INDIVIDUALS.—The number of older individuals in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the Bureau of the Census, and other reliable demographic data satisfactory to the Secretary.

''(ii) INDIVIDUALS WITH DISABILITIES.—The number of individuals with disabilities in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the American Community Survey, and other reliable demographic data satisfactory to the Secretary, on individuals who have a sensory disability, physical disability, mental disability, self-care disability, go-outside-home disability, or employment disability.

''(3) ELIGIBILITY.—In addition to the States determined by the Secretary to be eligible for a grant under this section, a State that receives a Federal grant for an aging and disability resource center is eligible for a grant under this section.

''(4) DEFINITION.—In this subsection, the term 'State' shall not include any jurisdiction described in paragraph (1)(B)(ii).

''(d) APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive an initial grant under this section, a State agency shall, after consulting and coordinating with consumers, other stakeholders, and area agencies on aging in the State, if any, submit an application to the Secretary at such time, in such manner, and containing the following information:

''(A) Evidence of substantial involvement of stakeholders and agencies in the State that are administering programs that will be the subject of referrals.

''(B) The applicant shall establish or designate a collaborative board to ensure meaningful involvement of stakeholders in the development, planning, implementation, and evaluation of a single-entry point system consistent with the following:

''(i) The collaborative board shall be composed of—

''(I) individuals representing all populations served by the applicant's single-entry point system, including older adults and individuals from diverse backgrounds who have a disability or a chronic condition requiring long-term support;

''(II) a representative from the local center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)), and representatives from other organizations that provide services to the individuals served by the system and those who advocate on behalf of such individuals; and

''(III) representatives of the government and non-governmental agencies that are affected by the system.

''(ii) The applicant shall work in conjunction with the collaborative board on—

''(I) the design and operations of the single-entry point system;

''(II) stakeholder input; and

''(III) other program and policy development issues related to the single-entry point system.

''(iii) An advisory board established under the Real Choice Systems Change Program or for an existing single-entry point system may be used to carry out the activities of a collaborative board under this subparagraph if such advisory board meets the requirements under clause (i).

''(C) The applicant's plan for providing—

''(i) comprehensive information on the full range of available public and private long-term services and supports options, providers, and resources, including building awareness of the single-entry point system as a resource;

''(ii) objective, neutral, and personal information, counseling, and assistance to individuals and their caregivers in assessing their existing or anticipated long-term care needs, and developing and implementing a plan for long-term care to meet their needs;

''(iii) for eligibility screening and referral for services;

''(iv) for stakeholder input;

''(v) for a management information system; and

''(vi) for an evaluation of the effectiveness of the single-entry point system.

''(D) A specification of the period of the grant request, which shall include not less than 3 consecutive fiscal years in the 5-fiscal-year-period beginning with fiscal year 2010.

''(E) Such other information as the Secretary determines appropriate.

''(2) APPLICATION FOR CONTINUATION.—

''(A) IN GENERAL.—A State that receives an initial grant under this section shall apply, after consulting and coordinating with the area agencies on aging, for a continuation of the initial grant, which includes a description of any significant changes to the information provided in the initial application and such data concerning performance measures related to the requirements in the initial application as the Secretary shall require.

''(B) EFFECT.—The requirement under subparagraph (A) shall be in effect through fiscal year 2020.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—A State that receives a grant under this section shall use the funds made available through the grant to—

''(A) establish a State single-entry point system, to enable older individuals and individuals with disabilities and their caregivers to obtain resources concerning long-term services and supports options; and

''(B) provide information on, access to, and assistance regarding long-term services and supports.

''(2) SERVICES.—In particular, the State single-entry point system shall be the referral source to—

''(A) provide information about long-term care planning and available long-term services and supports through a variety of media (such as websites, seminars, and pamphlets);

''(B) provide assistance with making decisions about long-term services and supports and determining the most appropriate services through options counseling, future financial planning, and case management;

''(C) provide streamlined access to and assistance with applying for federally funded long-term care benefits (including medical assistance under title XIX, Medicare skilled nursing facility services, services under title III of the Older Americans Act of 1965 (42 U.S.C. 3021 et seq.), the services of Aging and Disability Resource Centers), and State-funded and privately funded long-term care benefits, through efforts to shorten and simplify the eligibility processes for older individuals and individuals with disabilities;

''(D) provide referrals to the State evidence-based disease prevention and health promotion programs under subtitle B;

''(E) allocate the State funds available under subtitle C and carry out the State enhanced nursing home diversion program under subtitle C; and

''(F) and provide information about, other services available in the State that may assist an individual to remain in the community, including the Medicare and Medicaid programs, the State health insurance assistance program, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), and the Low-Income Home Energy Assistance Program under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), and such other services, as the State shall include.

''(3) COLLABORATIVE ARRANGEMENTS.—

''(A) CENTER FOR INDEPENDENT LIVING.—Each entity receiving an allotment under subsection (c) shall involve in the planning and implementation of the single-entry point system the local center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)), which provides information, referral, assistance, or services to individuals with disabilities.

''(B) OTHER ENTITIES.—To the extent practicable, the State single-entry point system is encouraged to enter into collaborative arrangements with aging and disability programs, service providers, agencies, the direct care work force, and other entities in order to ensure that information about such services may be made available to individuals accessing the State single-entry point system.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost described in subsection (b) shall be 75 percent.

''(2) NON-FEDERAL SHARE.—The State may provide the non-Federal share of the cost in cash or in-kind, fairly evaluated, including plant, equipment, or services. The State may provide the non-Federal share from State, local, or private sources.

''(g) FUNDING.—

''(1) IN GENERAL.—The Secretary shall use amounts made available under paragraph (2) to make the grants described in subsection (b).

''(2) FUNDING.—There are authorized to be appropriated to carry out this section—

''(A) $30,900,000 for fiscal year 2010;

''(B) $38,264,000 for fiscal year 2011;

''(C) $48,410,000 for fiscal year 2012;

''(D) $53,560,000 for fiscal year 2013;

''(E) $63,860,000 for fiscal year 2014;

''(F) $69,010,000 for fiscal year 2015;

''(G) $74,160,000 for fiscal year 2016;

''(H) $79,310,000 for fiscal year 2017;

''(I) $84,460,000 for fiscal year 2018;

''(J) $89,610,000 for fiscal year 2019; and

''(K) $95,790,000 for fiscal year 2020.

''(3) AVAILABILITY.—Funds appropriated under paragraph (2) shall remain available until expended.

"Subtitle B—Healthy Living Program

"SEC. 2221. EVIDENCE-BASED DISEASE PREVENTION AND HEALTH PROMOTION PROGRAMS.

''(a) PROGRAM.—The Secretary shall establish and carry out a healthy living program. In carrying out the program, the Secretary shall make grants to State agencies, from allotments described in subsection (b), to pay for the Federal share of the cost of carrying out evidence-based disease prevention and health promotion programs.

''(b) ALLOTMENTS.—

''(1) ALLOTMENTS TO INDIAN TRIBES AND TERRITORIES.—

''(A) RESERVATION.—The Secretary shall reserve from the funds made available under subsection (g)—

''(i) for fiscal year 2010, $1,500,952; and

''(ii) for each subsequent fiscal year, $1,500,952, increased by the percentage increase in the Consumer Price Index for All Urban Consumers, between October of the fiscal year preceding the subsequent fiscal year and October, 2007.

''(B) ALLOTMENTS.—The Secretary shall use the reserved funds under subparagraph (A) to make allotments to—

''(i) Indian tribes; and

''(ii) Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

''(2) IN GENERAL.—

''(A) AMOUNTS.—

''(i) IN GENERAL.—Except as provided in paragraph (3), the Secretary shall allot to each eligible State for a fiscal year an amount that bears the same relationship to the funds made available under this section and not reserved under paragraph (1) for that fiscal year as the number of older individuals in the State bears to the number of older individuals in all the States.

''(ii) OLDER INDIVIDUALS.—The number of older individuals in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the Bureau of the Census, and other reliable demographic data satisfactory to the Secretary.

''(B) SUBGRANTS.—

''(i) IN GENERAL.—Each State agency that receives an amount under subparagraph (A) shall award subgrants to area agencies on aging that can demonstrate performance capacity to carry out activities under this section whether such area agency on aging carries out the activities directly or through contract with an aging network entity.

''(ii) SUBGRANTS TO OTHER ENTITIES.—A State agency may make subgrants described in clause (i) to other qualified aging network entities only if the area agency on aging chooses not to apply for a subgrant or is not able to demonstrate performance capacity to carry out the activities described in this section.

''(3) MINIMUM ALLOTMENT.—No State shall receive an allotment under this section for a fiscal year that is less than 0.5 percent of the funds made available to carry out this section for that fiscal year and not reserved under paragraph (1).

''(4) ELIGIBILITY.—In addition to the States determined by the Secretary to be eligible for a grant under this section, a State that receives a Federal grant for evidence-based disease prevention is eligible for a grant under this section.

''(c) APPLICATIONS.—To be eligible to receive a grant under this section, a State agency shall, after consulting and coordinating with consumers, other stakeholders, and area agencies on aging in the State, if any, submit an application to the Secretary at such time, in such manner, and containing the following information:

''(1) A description of the evidence-based disease prevention and health promotion program.

''(2) Sufficient information to demonstrate that the infrastructure exists to support the program.

''(3) A specification of the period of the grant request, which shall include not less than 3 consecutive fiscal years in the 5 fiscal year period beginning with fiscal year 2010.

''(4) Such other information as the Secretary determines appropriate.

''(d) APPLICATION FOR CONTINUATION.—

''(1) IN GENERAL.—A State that receives an initial grant under this section shall apply, after consulting and coordinating with the area agencies on aging, for a continuation of the initial grant, which application shall include—

''(A) a description of any significant changes to the information provided in the initial application; and

''(B) such data concerning performance measures related to the requirements in the initial application as the Secretary shall require.

''(2) EFFECT.—The requirement under paragraph (1) shall be in effect through fiscal year 2020.

''(e) USE OF FUNDS.—A State that receives a grant under this section shall use the funds made available through the grant to carry out—

''(1) an evidence-based chronic disease self-management program;

''(2) an evidence-based falls prevention program; or

''(3) another evidence-based disease prevention and health promotion program.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost described in subsection (a) shall be 85 percent.

''(2) NON-FEDERAL SHARE.—The State may provide the non-Federal share of the cost in cash or in-kind, fairly evaluated, including

plant, equipment, or services. The State may provide the non-Federal share from State, local, or private sources.

''(g) FUNDING.—

''(1) IN GENERAL.—The Secretary shall use amounts made available under paragraph (2) to make the grants described in subsection (a).

''(2) FUNDING.—There are authorized to be appropriated to carry out this section—

''(A) $36,050,000 for fiscal year 2010;

''(B) $41,200,000 for fiscal year 2011;

''(C) $56,650,000 for fiscal year 2012;

''(D) $77,250,000 for fiscal year 2013;

''(E) $92,700,000 for fiscal year 2014;

''(F) $103,000,000 for fiscal year 2015;

''(G) $118,450,000 for fiscal year 2016;

''(H) $133,900,000 for fiscal year 2017;

''(I) $149,350,000 for fiscal year 2018;

''(J) $157,590,000 for fiscal year 2019; and

''(K) $173,040,000 for fiscal year 2020.

''(3) AVAILABILITY.—Funds appropriated under paragraph (2) shall remain available until expended.

"Subtitle C—Diversion Programs

"SEC. 2231. ENHANCED NURSING HOME DIVERSION PROGRAMS.

''(a) DEFINITION.—In this section:

''(1) LOW-INCOME SENIOR.—The term 'low-income senior' means an individual who—

''(A) is age 75 or older; and

''(B) is from a household with a household income that is not less than 150 percent, and not more than 300 percent, of the poverty line.

''(2) NURSING HOME.—The term 'nursing home' means—

''(A) a skilled nursing facility, as defined in section 1819(a); or

''(B) a nursing facility, as defined in section 1919(a).

''(b) PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish and carry out a diversion program. In carrying out the program, the Secretary shall make grants to States, from allotments described in subsection (c), to pay for the Federal share of the cost of carrying out enhanced nursing home diversion programs.

''(2) COHORTS.—The Secretary shall make the grants to—

''(A) a first year cohort consisting of one third of the States, for fiscal year 2010;

''(B) a second year cohort consisting of the cohort described in subparagraph (A) and an additional one third of the States, for fiscal year 2011; and

''(C) a third year cohort consisting of all the eligible States, for fiscal year 2012 and each subsequent fiscal year.

''(3) READINESS.—In determining whether to include an eligible State in the first year, second year, or third year and subsequent year cohort, the Secretary shall consider the readiness of the State to carry out an enhanced nursing home diversion program under this section. Readiness shall be determined based on a consideration of the following factors:

''(A) Availability of a comprehensive array of home- and community-based services.

''(B) Sufficient home- and community-based services provider capacity.

''(C) Availability of housing.

''(D) Availability of supports for consumer-directed services, including whether a fiscal intermediary is in place.

''(E) Ability to perform timely eligibility determinations and assessment for services.

''(F) Existence of a quality assessment and improvement program for home and community-based services.

''(G) Such other factors as the Secretary determines appropriate.

''(c) ALLOTMENTS.—

''(1) IN GENERAL.—

''(A) AMOUNT.—The Secretary shall allot to an eligible State (within the applicable cohort) for a fiscal year an amount that bears the same relationship to the funds made available under subsection (i) for that fiscal year as the number of low-income seniors in the State bears to the number of low-income seniors within States in the applicable cohort for that fiscal year.

''(B) LOW-INCOME SENIORS.—The number of low-income seniors in any State and in all States shall be determined by the Secretary on the basis of the most recent data available from the American Community Survey, and other reliable demographic data satisfactory to the Secretary.

''(2) ELIGIBILITY.—In addition to the States determined by the Secretary to be eligible for a grant under this section, a State that receives a Federal grant for a nursing home diversion is eligible for a grant under this section.

''(d) APPLICATIONS.—To be eligible to receive a grant under this section, a State agency shall, after consulting and coordinating with consumers, other stakeholders, and area agencies on aging in the State, if any, submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a specification of the period of the grant request, which shall include not less than 3 consecutive fiscal years in the 5 fiscal year period beginning with the fiscal year prior to the year of application.

''(e) APPLICATION FOR CONTINUATION.—

''(1) IN GENERAL.—A State that receives an initial grant under this section shall apply, after consulting and coordinating with the area agencies on aging, for a continuation of the initial grant, which application shall include—

''(A) a description of any significant changes to the information provided in the initial application; and

''(B) such data concerning performance measures related to the requirements in the initial application as the Secretary shall require.

''(2) EFFECT.—The requirement under paragraph (1) shall be in effect through fiscal year 2020.

''(f) USE OF FUNDS.—

''(1) IN GENERAL.—A State that receives a grant under this section shall carry out the following:

''(A) Use the funds made available through the grant to carry out an enhanced nursing home diversion program that enables eligible individuals to avoid admission into nursing homes by enabling the individuals to obtain alternative long-term services and supports and remain in their communities.

''(B) Award subgrants to area agencies on aging that can demonstrate performance capacity to carry out activities under this section whether such area agency on aging carries out the activities directly or through contract with an aging network entity. A State may make subgrants to other qualified aging network entities only if the area agency on aging chooses not to apply for a subgrant or is not able to demonstrate performance capacity to carry out the activities described in this section.

''(2) CASE MANAGEMENT.—

''(A) IN GENERAL.—The State, through the State single-entry point system established under subtitle A, shall provide for case management services to the eligible individuals.

''(B) USE OF EXISTING SERVICES.—In carrying out subparagraph (A), the State agency or area agency on aging may utilize existing case management services delivery networks if—

''(i) the networks have adequate safeguards against potential conflicts of interest; and

''(ii) the State agency or area agency on aging includes a description of such safeguards in the grant application.

''(C) CARE PLAN.—The State shall provide for development of a care plan for each eligible individual served, in consultation with the eligible individual and their caregiver, as appropriate. In developing the care plan, the State shall explain the option of consumer directed care and assist an individual, who so requests, with developing a consumer-directed care plan that shall include arranging for support services and funding. Such assistance shall include providing information and outreach to individuals in the hospital, in a nursing home for post-acute care, or undergoing changes in their health status or caregiver situation.

''(g) ELIGIBLE INDIVIDUALS.—In this section, the term 'eligible individual' means an individual—

''(1) who has been determined by the State to be at high functional risk of nursing home placement, as defined by the State agency in the State agency's grant application;

''(2) who is not eligible for medical assistance under title XIX; and

''(3) who meets the income and asset eligibility requirements established by the State and included in such State's grant application for approval by the Secretary.

''(h) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost described in subsection (b) shall be, for a State and for a fiscal year, the sum of—

''(A) the Federal medical assistance percentage applicable to the State for the year under section 1905(b); and

''(B) 5 percentage points.

''(2) NON-FEDERAL SHARE.—The State may provide the non-Federal share of the cost in cash or in-kind, fairly evaluated, including plant, equipment, or services. The State may provide the non-Federal share from State, local, or private sources.

''(i) FUNDING.—

''(1) IN GENERAL.—The Secretary shall use amounts made available under paragraph (2) to make the grants described in subsection (b).

''(2) FUNDING.—There are authorized to be appropriated to carry out this section—

''(A) $111,825,137 for fiscal year 2010;

''(B) $337,525,753 for fiscal year 2011;

''(C) $650,098,349 for fiscal year 2012;

''(D) $865,801,631 for fiscal year 2013;

''(E) $988,504,887 for fiscal year 2014;

''(F) $1,124,547,250 for fiscal year 2015;

''(G) $1,276,750,865 for fiscal year 2016;

''(H) $1,364,488,901 for fiscal year 2017;

''(I) $1,466,769,052 for fiscal year 2018;

''(J) $1,712,755,702 for fiscal year 2019; and

''(K) $1,712,755,702 for fiscal year 2020.

''(3) AVAILABILITY.—Funds appropriated under paragraph (2) shall remain available until expended.

"Subtitle D—Administration, Evaluation, and Technical Assistance

"SEC. 2241. ADMINISTRATION, EVALUATION, AND TECHNICAL ASSISTANCE.

''(a) ADMINISTRATION AND EXPENSES.—For purposes of carrying out this title, there are authorized to be appropriated for administration and expenses—

''(1) of the area agencies on aging—

''(A) $16,825,895 for fiscal year 2010;

''(B) $39,246,141 for fiscal year 2011;

''(C) $50,766,948 for fiscal year 2012;

''(D) $66,999,101 for fiscal year 2013;

''(E) $76,979,152 for fiscal year 2014;

''(F) $87,163,513 for fiscal year 2015;

''(G) $98,780,562 for fiscal year 2016;

''(H) $106,063,792 for fiscal year 2017;

''(I) $114,324,642 for fiscal year 2018;

''(J) $123,312,948 for fiscal year 2019; and

''(K) $133,215,845 for fiscal year 2020;

''(2) of the State agencies—

''(A) $8,412,948 for fiscal year 2010;

''(B) $19,623,071 for fiscal year 2011;

''(C) $25,383,474 for fiscal year 2012;

''(D) $33,499,551 for fiscal year 2013;
''(E) $38,489,576 for fiscal year 2014;
''(F) $43,581,756 for fiscal year 2015;
''(G) $49,390,281 for fiscal year 2016;
''(H) $53,031,896 for fiscal year 2017;
''(I) $57,162,321 for fiscal year 2018;
''(J) $61,656,474 for fiscal year 2019; and
''(K) $66,607,923 for fiscal year 2020; and
''(3) of the Administration—
''(A) $2,103,237 for fiscal year 2010;
''(B) $4,905,768 for fiscal year 2011;
''(C) $6,345,868 for fiscal year 2012;
''(D) $8,374,888 for fiscal year 2013;
''(E) $9,622,394 for fiscal year 2014;
''(F) $10,895,439 for fiscal year 2015;
''(G) $12,347,570 for fiscal year 2016;
''(H) $13,257,974 for fiscal year 2017;
''(I) $14,290,580 for fiscal year 2018;
''(J) $15,414,118 for fiscal year 2019; and
''(K) $16,651,981 for fiscal year 2020.
''(b) EVALUATION AND TECHNICAL ASSISTANCE.—
''(1) CONDITIONS TO RECEIPT OF GRANT.—In awarding grants under this title, the Secretary shall condition receipt of the grant for the second and subsequent grant years on a satisfactory determination that the State agency is meeting benchmarks specified in the grant agreement for each grant awarded under this title.
''(2) EVALUATIONS.—The Secretary shall measure and evaluate, either directly or through grants or contracts, the impact of the programs authorized under this title. Not later than June 1 of the year that is 6 years after the year of the date of enactment of the Project 2020: Building on the Promise of Home and Community-Based Services Act of 2009 and every 2 years thereafter, the Secretary shall—
''(A) compile the reports of the measures and evaluations of the grantees;
''(B) establish benchmarks to show progress toward savings; and
''(C) present a compilation of the information under this paragraph to Congress.
''(3) TECHNICAL ASSISTANCE GRANTS.—The Secretary shall award technical assistance grants, including State specific grants whenever practicable, to carry out the programs authorized under this title.
''(4) TRANSFER.—There are authorized to be appropriated for such evaluation and technical assistance under this subsection—
''(A) $4,206,474 for fiscal year 2010;
''(B) $9,811,535 for fiscal year 2011;
''(C) $8,461,158 for fiscal year 2012;
''(D) $11,166,517 for fiscal year 2013;
''(E) $12,829,859 for fiscal year 2014;
''(F) $14,527,252 for fiscal year 2015;
''(G) $16,463,427 for fiscal year 2016;
''(H) $17,677,299 for fiscal year 2017;
''(I) $19,054,107 for fiscal year 2018;
''(J) $20,552,158 for fiscal year 2019; and
''(K) $22,202,641 for fiscal year 2020.
''(c) AVAILABILITY.—Funds appropriated under this section shall remain available until expended.''.

By Mr. UDALL, of Colorado (for himself and Mr. BENNET:)

S. 1264. A bill to require the Secretary of the Interior to assess the irrigation infrastructure of the Pine River Indian Irrigation Project in the State of Colorado and provide grants to, and enter into cooperative agreements with, the Southern Ute Indian Tribe to assess, repair, rehabilitate, or reconstruct existing infrastructure, and for other purposes; to the Committee on Indian Affairs.

Mr. UDALL of Colorado. Mr. President, today I rise to discuss a bill that I introduced, which seeks to rehabilitate an important irrigation and flood control system that is vital to serving the agricultural and flood protection needs in Southwestern Colorado.

More than 100 years ago, both Indian and non-Indian communities utilized the water from the Los Pinos or Pine River to irrigate areas of Southwest Colorado. As the population and local agriculture grew, so did the need for more advanced infrastructure. In 1936, the Pine River Indian Irrigation Project was authorized by Congress in the Department of Interior Appropriation Act, and in 1937 the project grew the system's capacity to provide water for over 63,000 acres of land. The development of this project provided much needed protection for crops and communities from spring floods and summer drought.

Today, similar forces of population growth and a steady demand for irrigated water are exacerbated by aging and deteriorating infrastructure, creating a need for a stronger system. The Government Accountability Office has found the deterioration of key project facilities to be severe. As deferred maintenance and upkeep mount, there is a growing threat to water conservation efforts, a reliable water supply, growth in agricultural production, economic sustainability, a safe community, and, equally important, the preservation of culture and livelihood of the Southern Ute Indian Tribe. Though the Southern Ute Tribe and others who live along the Pine River understand the hazards presented by aging infrastructure, more needs to be done to comprehend the full extent of these hazards.

Tribal members, who would like to bring idle lands back into agricultural production and continue as good stewards of the land, cannot be sure if much-needed water will get to their lands as a result of failed structures, overdue maintenance, and inadequate funding. Now, the estimated costs to rehabilitate the system far exceed the ability of water users to pay for improvements while managing profitable operations.

The Pine River Indian Irrigation Project Act of 2009 would fix decades of neglect and inadequate funding for the Pine River Indian Irrigation Project. This legislation would direct the Secretary of the Interior, acting through the Commissioner of Reclamation, to fully assess the needs of the Pine River Indian Irrigation Project. It would also grant the authority to the Secretary of the Interior to provide grants to, and enter into cooperative agreements with the Southern Ute Indian Tribe of Colorado to assess and repair infrastructure so that it more suitably meets user needs. The funding that would be provided in this bill is an essential step toward assuring that both Indians and non-Indians have access to the water they need, when they need it. I look forward to working with my colleagues on both sides of the aisle to move this bill toward passage.

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. 1264

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pine River Indian Irrigation Project Act of 2009''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—
(1) drought, population increases, and environmental needs are exacerbating water supply issues across the western United States, including on the Southern Ute Indian Reservation in southwestern Colorado;
(2)(A) a report of the Government Accountability Office dated 2006 identified significant issues with the Pine River Indian Irrigation Project, including the issue that, at the time of the study, the Bureau of Indian Affairs estimated that total deferred maintenance costs for the Project exceeded $20,000,000; and
(B) other estimates have placed those costs at more than $60,000,000;
(3) the report of the Government Accountability Office demonstrates that key facilities of the Project are severely deteriorated;
(4) operations and maintenance fees are not sufficient to address the condition of the Project, even though the Bureau of Indian Affairs has sought to double those fees, from $8.50 to $17, in recent years;
(5) the report of the Government Accountability Office also notes that a prior study done by the Bureau of Reclamation determined that water users could not afford to pay operations and maintenance fees of $8.50 and operate a profitable farming operation;
(6) the benefits of rehabilitating and repairing the irrigation infrastructure of the Project include—
(A) water conservation;
(B) extending available water supply;
(C) increased agricultural production;
(D) economic benefits;
(E) safer facilities; and
(F) the preservation of the culture of the Southern Ute Indian Tribe;
(7) while, as of the date of enactment of this Act, the Project is managed by the Bureau of Indian Affairs, the Southern Ute Indian Tribe also receives water from facilities owned or operated by the Bureau of Reclamation; and
(8) rehabilitation and repair of the infrastructure of the Project by the Bureau of Reclamation would improve—
(A) overall water management; and
(B) the ability of the Southern Ute Indian Tribe and the Bureau of Reclamation to address potential water conflicts.
(b) PURPOSE.—The purpose of this Act is to require the Secretary of the Interior—
(1) to assess the condition of infrastructure of the Pine River Indian Irrigation Project;
(2) to establish priorities for the rehabilitation of irrigation infrastructure within the Project according to specified criteria; and
(3) to implement rehabilitation activities for the irrigation infrastructure of the Project.

SEC. 3. DEFINITIONS.

In this Act:
(1) PROJECT.—The term ''Project'' means the Pine River Indian Irrigation Project.
(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.
(3) STATE.—The term ''State'' means the State of Colorado.

(4) TRIBAL COUNCIL.—The term ''Tribal Council'' means the Southern Ute Indian Tribal Council.

(5) TRIBE.—The term ''Tribe'' means the Southern Ute Indian Tribe.

SEC. 4. STUDY OF IRRIGATION INFRASTRUCTURE OF PROJECT.

(a) STUDY.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary, in consultation with the Tribe, shall—

(A) conduct a study of the irrigation infrastructure of the Project; and

(B) based on the results of the study, develop a list of activities (including a cost estimate for each activity) that are recommended to be implemented during the 10-year period beginning on the date of completion of the study to repair, rehabilitate, or reconstruct that irrigation infrastructure.

(2) FACTORS FOR CONSIDERATION.—

(A) IN GENERAL.—In developing the list under paragraph (1)(B), the Secretary shall give priority to activities based on—

(i) a review of the priority factors described in subparagraph (B) with respect to the activity;

(ii) recommendations of the Tribe, if any; and

(iii) a consideration of the projected benefits of each activity on completion of the Project.

(B) PRIORITY FACTORS.—The priority factors referred to in subparagraph (A)(i) are—

(i) any threat to the health and safety of—

(I) a member of the Tribe;

(II) an employee of the irrigation operations and maintenance program of the Bureau of Indian Affairs; or

(III) the general public;

(ii) the extent of disrepair of the irrigation infrastructure of the Project and the effect of the disrepair on the ability of users of the Project to irrigate agricultural land using that irrigation infrastructure;

(iii) whether, and the extent to which, the repair, rehabilitation, or reconstruction of the irrigation infrastructure of the Project would provide an opportunity to conserve water;

(iv)(I) the economic and cultural impacts the irrigation infrastructure of the Project that is in disrepair has on the Tribe; and

(II) the economic and cultural benefits that the repair, rehabilitation, or reconstruction of that irrigation infrastructure would have on the Tribe;

(v) the opportunity to address water supply or environmental conflicts if the irrigation infrastructure of the Project is repaired, rehabilitated, or reconstructed; and

(vi) the overall benefits of the activity to efficient water operations on the land of the Tribe.

(3) CONSULTATION.—In carrying out the study under this subsection, the Secretary shall consult with the Assistant Secretary for Indian Affairs and other relevant Federal and local officials to evaluate the extent to which programs under the jurisdiction of each Federal and local agency may be used to develop—

(A) the list of activities under paragraph (1)(B); or

(B) the report under subsection (b).

(b) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, and the Tribe a report that includes—

(A) the list of activities recommended for implementation under subsection (a)(1)(B); and

(B) any findings of the Secretary with respect to—

(i) the study under subsection (a);

(ii) consideration of the factors described in subsection (a)(2); and

(iii) any consultation required under subsection (a)(3).

(2) BIENNIAL REVIEW.—Not later than 2 years after the date on which the Secretary submits the report under paragraph (1) and every 2 years thereafter, the Secretary, in consultation with the Tribe, shall—

(A) review the report; and

(B) update the list of activities under subsection (a)(1)(B) in accordance with each factor described in subsection (a)(2), as the Secretary determines to be appropriate.

SEC. 5. IRRIGATION INFRASTRUCTURE GRANTS AND AGREEMENTS.

(a) IN GENERAL.—Subject to subsection (b), the Secretary may provide grants to, and enter into cooperative agreements with, the Tribe to plan, design, construct, or otherwise implement any activity to repair, rehabilitate, reconstruct, or replace irrigation infrastructure of the Project, if the activity is recommended for implementation on the list under section 4(a)(1)(B).

(b) LIMITATION.—Assistance provided under subsection (a) shall not be used for any on-farm improvement.

(c) CONSULTATION AND COORDINATION.—In providing assistance under subsection (a), the Secretary shall—

(1) consult with, and obtain the approval of, the Tribe;

(2) consult with the Assistant Secretary for Indian Affairs; and

(3) as appropriate, coordinate the activity with any work being conducted under the irrigation operations and maintenance program of the Bureau of Indian Affairs.

(d) COST SHARING REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the total cost of carrying out an activity using assistance under subsection (a) shall be not more than 75 percent.

(2) EXCEPTION.—The Secretary may waive or limit the non-Federal share required under paragraph (1) on request of the Tribe.

SEC. 6. EFFECT OF ACT.

(a) WATER RIGHTS OF TRIBE.—Nothing in this Act (including the implementation of any activity carried out in accordance with this Act) affects any right of the Tribe to receive, divert, store, or claim a right to water, including the priority of right and the quantity of water associated with the water right under Federal or State law.

(b) STATE WATER LAW.—Nothing in this Act preempts or affects—

(1) any provision of water law of the State; or

(2) any interstate compact governing water.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) STUDY.—There is authorized to be appropriated to carry out the study under section 4 $4,000,000.

(b) IRRIGATION INFRASTRUCTURE GRANTS AND AGREEMENTS.—There is authorized to be appropriated to carry out section 5 $10,000,000 for each of fiscal years 2010 through 2015.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 27—DIRECTING THE ARCHITECT OF THE CAPITOL TO ENGRAVE THE PLEDGE OF ALLEGIANCE TO THE FLAG AND THE NATIONAL MOTTO OF ''IN GOD WE TRUST'' IN THE CAPITOL VISITOR CENTER

Mr. DEMINT (for himself, Mr. BARRASSO, Mr. BROWNBACK, Mr. BUNNING, Mr. BYRD, Mr. CRAPO, Mr. ENZI, Mr. INHOFE, Mr. THUNE, and Mr. WICKER) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 27

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

SECTION 1. ENGRAVING OF PLEDGE OF ALLEGIANCE TO THE FLAG AND NATIONAL MOTTO IN CAPITOL VISITOR CENTER.

(a) ENGRAVING REQUIRED.—The Architect of the Capitol shall engrave the Pledge of Allegiance to the Flag and the National Motto of ''In God we trust'' in the Capitol Visitor Center, in accordance with the engraving plan described in subsection (b).

(b) ENGRAVING PLAN.—The engraving plan described in this subsection is a plan setting forth the design and location of the engraving required under subsection (a) which is prepared by the Architect of the Capitol and approved by the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills or joint resolutions from Monday, June 15 to Wednesday, June 18.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 16, 2009

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, June 16; 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 for 1 hour with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half, with Senators permitted to speak for up to 10 minutes each; finally, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus luncheons.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. REID. Under a previous order, following morning business tomorrow, the Senate will resume consideration of the motion to proceed to S. 1023, the Travel Promotion Act of 2009. There will be up to 1 hour for debate prior to a cloture vote on the motion to proceed to the bill. Senators should expect the cloture vote to begin as early as 11:45 a.m. tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 4:31 p.m., adjourned until Tuesday, June 16, 2009, at 10 a.m.

EXTENSIONS OF REMARKS

EARMARK DECLARATION

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Homeland Security Appropriations Act.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY2010 Interior, Environment, and Related Agencies Appropriations Act

Account: EPA—STAG Water and Wastewater Infrastructure Project

Legal Name of Requesting Entity: City of Austin

Address of Requesting Entity: 301 West 2nd Street, Austin, TX 78701

Description of Request: I have secured $500,000 for the City of Austin for sanitary sewer overflow prevention. These funds will be used for the Non-Structural SSO Prevention Project in association with our partnership with the Environmental Protection Agency (EPA). This past fall, EPA released the City's first Special Appropriations Grant XP-97677204 to allow expenditures on the City's ongoing "cured-in-place" sewer main slip lining contracts. This trenchless sewer rehabilitation technique eliminates infiltration and replaces the structural integrity of sewer mains without extensive excavation. Having EPA grant funds targeted to this activity frees up existing City financial resources to (1) expand sanitary sewer monitoring, cleaning and maintenance, (2) address both grease control and permanent root elimination from the sewer system and (3) expand use of trenchless sanitary sewer rehabilitation techniques to other areas of the sewer system. The requested funds will be used for a non-structural (trenchless) sanitary sewer overflow prevention project. The project will reduce sanitary sewer overflows that threaten the Colorado River watershed and the Edwards Aquifer. It will also demonstrate a non-structural approach to addressing sanitary sewer overflows that can be replicated nationally. I certify that neither I nor my spouse has any financial interest in this project.

A TRIBUTE TO FRED LOWE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SCHIFF. Madam Speaker, I rise today to commend Mr. Fred Lowe for his extraordinary work and leadership as Business Manager of the Laborers' International Union of North America, Local 777.

Fred Lowe was born in Cleveland, Ohio and raised in California's San Fernando Valley where, in 1966, he graduated from North Hollywood High School.

Mr. Lowe began his career as a freelance journalist in the early 1970s while actively participating in the anti-war movement during the Vietnam War. He became involved in the Labor Movement in 1976 while employed as a warehouse worker at a General Electric plant in San Jose, California. As a Shop Steward at General Electric, he helped organize his coworkers into Local 6 of the International Longshore and Warehouse Union.

Fred continued on to serve several unions, organizing and representing workers in both the public and private sector. He worked with individuals in skilled trades and service industries, as well as university professors and administrative and clerical workers. In the mid 1980s, he became involved in the Sanctuary Movement for refugees fleeing war and political oppression in El Salvador and Guatemala. In 1994, Fred Lowe served as an international observer to El Salvador's first democratic election.

By the mid 1990s, he returned to union organizing, finding his home within the Laborers' International Union of North America (L.I.U.N.A.). Working with the union's Organizing Department in 1996, Fred played an important role in managing a historic election of 5,200 Riverside County employees. With his leadership, L.I.U.N.A. gained its largest public sector organizing victory in the union's history. Shortly after the win, the union became known as L.I.U.N.A., Local 777.

Under Mr. Lowe's exceptional leadership as Business Manager, Local 777 has grown to represent over 8,000 members throughout both Riverside and Los Angeles counties. His determined efforts have shaped Local 777 into an outstanding example of political activism, helping to elect public officials who serve the needs of labor. For more than 30 years, Fred Lowe has worked as an effective advocate for laborers' rights in Southern California and has been instrumental in working toward equitable employee relations in Riverside and Los Angeles Counties. Fred and his wife Karen have three children, Luisa, Sonya, and Michael Scott.

On June 30, 2009, Mr. Lowe will retire from his position as Business Manager of L.I.U.N.A., Local 777. It is my great pleasure to recognize the extraordinary dedication and achievements of Mr. Fred Lowe and I ask all Members of Congress to join me in thanking him for his service.

SADDLE RIVER POLICE DEPARTMENT YOUTH LEADERSHIP PROGRAM GRADUATION

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. GARRETT of New Jersey. Madam Speaker, today, the Saddle River Police Department will hold its Youth Leadership Program graduation ceremony with the students of the Wandell 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 Timothy McWilliams and Superintendant Dr. David Goldblatt.

The Saddle River Youth Leadership 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, empowering them with the confidence and courage to say no to drugs.

I am proud of the young boys and girls who participated in this program at the Wendell School, and I would like to recognize them all for taking this step toward positive citizenship: Tiara Berry, Nina Butler, Gabriella Dedvukej, Samuel Edelman, John Engkvist, Samantha Fisher, Max Freedberg, Ekaterina Hardesty, Jodi Hinchen, Trey Kidd, Niko Kourgalis, Stephanie Lande, Alison Luing, Ohiragg Manchanda, Gianna Pace, Ryan Perle, Lelyzaveta Troschii, Derek Wafer, Isaiah Wright, Alexander Zahn, Claudia Baker, Evan Berker, Juliette Boyajian, Gregory Ceccon, Carolina Earle, Sam Hajal, Harrison He, Candace Krauss, Anthony LaBarbiera, Nicholas LoPiccolo, Patrick Mello, Michael Morrissey, Connor Nicholson, Ana Ordonez, Matthew Perle, Kimberly Quinones, Jacqueline Rodgers, Samson Silberman, Sarah Taranto, Kyle Weber, and Alexis Weiner.

SHIPPENSBURG UNIVERSITY WOMEN'S RUGBY CLUB TEAM

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SHUSTER. Madam Speaker, I rise today to congratulate the Shippensburg University Women's Rugby Club Team on winning the 2009 USA Rugby National Guard Collegiate Championships. As national champions, the members of the rugby club team have shown the discipline and teamwork required to achieve greatness.

The championship is the second in a row for the club, who built on their success last year to come back better and stronger and take the title again. The championship match at Stanford's Steuber Rugby Stadium was truly a wonderful accomplishment. The Division II rugby club beat Stonehill College in the final match 29–5. Through dedication and persistence the club was able to achieve this praiseworthy title.

The women of the Shippensburg rugby club team have shown great leadership, and each of these individuals has represented their school with distinction and honor. The club has brought great pride to not only Shippensburg University but to the greater

community as well. I commend them on their teamwork and outstanding talents.

This is truly a distinguished achievement for the Shippensburg University Women's Rugby Club Team. I congratulate all of the players and coaches: Jenna Boggi, Danielle Dincher, Lauren Herbert, Lisa Hrunka, Melissa Hutchinson, Michelle Jeffcoat, Melissa Kahler, Stephanie Kern, Kathryn Krulac, Lauren Lamon, Shannon Lane, Lindsay Libengood, Meghan McCloud, Meaghan Meeker, Natalie Monroig, Sarah Mousetis, Brittany Myers, Jenna Romanowski, Kimberly Simmons, Melody Stouder, Stacie Stuart, Wendy Tanner, Angela Tyrrell, Ashley Tyrrell, Katelyn Waegener, and Jessica Walker. I believe that this championship will be one of many successes in the lives of these talented players and coaches, and I congratulate them for all their efforts.

EARMARK DECLARATION

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Homeland Security Appropriations Act.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY2010 Homeland Security Appropriations Act

Account: FEMA—Predisaster Mitigation

Legal Name of Requesting Entity: City of New Braunfels

Address of Requesting Entity: 424 South Castell Avenue, New Braunfels, TX 78130

Description of Request: I have secured $500,000 for the City of New Braunfels for flood mitigation. The project is part of the City's FEMA-approved Local Hazard Mitigation Plan and the Regional Mitigation Action Plan. The project consists of (1) the construction of two large detention ponds along Walnut Avenue, (2) channel improvements along the North Tributary, and (3) the removal of several residential and commercial properties from the 100-year floodplain. This project is an important regional flood control initiative to reduce flooding along the North Tributary of the Guadalupe River and to protect numerous homes from future flood damage. For the entire project, the City is prepared to provide $5,900,000, which is a 92% share of the $6,400,000 cost. The City is requesting $500,000 in Federal funding, which would be 8% of the project cost. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman LAMAR SMITH

Bill Number: FY2010 Homeland Security Appropriations Act

Account: FEMA—State and Local Programs

Legal Name of Requesting Entity: City of Boerne Emergency Operations Center

Address of Requesting Entity: 214 West Nueva, San Antonio, TX 78207

Description of Request: I have secured $250,000 for the City of Boerne for equipment for their Emergency Operations Center. Funding will be used to modernize the radio equipment to allow for interoperability between various public safety entities and multiple jurisdictions, and to equip the new Emergency Operations Center with equipment for such operations. The improvements will not only impact the City of Boerne but all of Kendall County and the City of Fair Oaks Ranch, which is located partially in Kendall, Comal and Bexar Counties. I certify that neither I nor my spouse has any financial interest in this project.

RECOGNIZING THE WINDY CITY GAY CHORUS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. QUIGLEY. Madam Speaker, I rise today to recognize the Windy City Gay Chorus and all its current and past members on their 30th anniversary celebration.

Founded in 1979, the Windy City Gay Chorus is the oldest gay chorus in Illinois and the Midwest and one of the oldest in the country.

The Windy City Gay Chorus and its volunteer members have been distinguished for their commitment to professional-quality musical performances and their dedication to Chicago's LGBT community.

WCGC is respected nationally and internationally and is regarded by critics and audiences as one of the outstanding gay choruses. It performs a wide variety of music from pop, jazz and swing to classical. Its annual "Don We Now . . ." concert is one of the highlights of Chicago's holiday season.

The Windy City Gay Chorus has won numerous honors and awards, including first prize at the Johnny Mann Great American Choral Festival, the only gay group ever to do so.

It has been invited to perform at meetings of the American Choral Directors Association, at the inauguration of Chicago Mayor Richard M. Daley, and at two of the world's most famous concert halls, Orchestra Hall in Chicago and Avery Fisher Hall at Lincoln Center in New York.

The Windy City Gay Chorus and its affiliated choruses—Aria, Unison and Windy City Slickers—use the universal language of music to bridge the divisions that separate us and to bring joy, hope and pride not just to the LGBT community but to everyone who experiences their music.

The hard work and dedication of the Windy City Gay Chorus reminds us, especially during Gay Pride Month, of the enormous contributions that gay and lesbian Americans and the entire LGBT community have made to our country.

Madam Speaker, I congratulate and thank the Windy City Gay Chorus and all its members for their service to our community and wish them 30 more years of making beautiful and uplifting music.

EARMARK DECLARATION

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. LEWIS of California. Madam Speaker, pursuant to Republican earmark guidance, I am submitting the following in regard to H.R. 2847:

Requesting Member: Congressman JERRY LEWIS

Project Name: San Bernardino County Sheriff Scientific Investigations

Account: COPS-Tech

Legal Name of Requesting Entity: San Bernardino County, CA

Address of Requesting Entity: San Bernardino County, 655 East Third Street, San Bernardino, CA 92415

Amount: $500,000

Description of Request: The funds requested will be used to help the Sheriff's Department purchase equipment for the Crime Analysis Unit, including a Blood Alcohol Analysis System, Polarized Light Microscopes for Controlled Substance Analysis, Energy Dispersive X-Ray Spectrometer and a Skeletal Remains Predictive Profiling Research Program. San Bernardino County is the largest County in the United States, making law enforcement investigations a challenge. These equipment upgrades will help make investigations more efficient and effective.

Requesting Member: Congressman JERRY LEWIS.

Project Name: City of San Bernardino Project Phoenix Neighborhood Initiative

Account: OJP-Byrne

Legal Name of Requesting Entity: City of San Bernardino

Address of Requesting Entity: 300 North "D" Street, San Bernardino, CA 92418

Amount: $500,000

Description of Request: The requested funds will support an at-risk youth center with an after-school program that includes tutoring, organized sports, teen clubs and open recreation. The youth centers are part of San Bernardino's comprehensive initiative to reduce the rate of violent crime in San Bernardino. The City of San Bernardino has been ranked the third most violent city in California and the 18th in the nation. Due to extremely high rates of foreclosure in the city, the city is facing massive budget cuts and the progress that Operation Phoenix has made in reducing juvenile and overall crime is threatened if these centers are forced to close.

Requesting Member: Congressman JERRY LEWIS.

Project Name: Redlands Police Information Technology Infrastructure

Account: COPS-Tech Date

Legal Name of Requesting Entity: City of Redlands

Address of Requesting Entity: 35 Cajon Street, Redlands, CA 92373

Amount: $350,000

Description of Request: The requested funds will be used to upgrade the Police Department's information technology (IT) infrastructure. This would include the creation of a consolidated and stable data center and the relocation of the Department's servers, along with other critical communications components. The City was forced to close its 50-

year-old Safety hall last year due to seismic and environmental factors. This project is critical to allowing Redlands to work more efficiently and effectively with regional, state, and federal law enforcement officials.

Requesting Member: Congressman JERRY LEWIS.

Project Name: California Department of Justice Meth Interdiction in San Bernardino County

Account: COPS-Meth

Legal Name of Requesting Entity: California State Department of Justice

Address of Requesting Entity: 4949 Broadway, Sacramento, CA 95820

Amount: $600,000

Description of Request: The requested funds will purchase equipment used in investigation and seizure of clandestine meth laboratories, for drug interdiction efforts, and other associated costs for the California Methamphetamine Strategy program in San Bernardino. In addition, funding would be used to train local law enforcement officers in San Bernardino County. California leads the nation in meth production and has also become a gateway for the trafficking of meth from Mexico across the United States, making enforcement efforts in California a critical part of any national strategy.

Requesting Member: Congressman JERRY LEWIS

Project Name: Banning Multi-Agency Interoperability Capability

Account: COPS Tech

Legal Name of Requesting Entity: City of Banning, CA

Address of Requesting Entity: 321 W. Ramsey Street, Banning, CA 92220

Amount: $300,000

Description of Request: The requested funds would upgrade the Banning's public safety communication system to make it interoperable with the rest of the County. Riverside County is the only County in Southern California without interoperability capability. The region is working on a shared system that will lower operational costs.

Requesting Member: Congressman JERRY LEWIS

Project Name: Highland Police Technology Program

Account: COPS Tech

Legal Name of Requesting Entity: City of Highland, CA

Address of Requesting Entity: 27215 Base Line Highland, CA 92346

Amount: $500,000

Description of Request: The requested funds will help equip the Highland Police force with equipment to combat the rising tide of crime. The Police department is seeking matching federal funds to purchase a GPS-based graffiti tracking system and security equipment for the new police headquarters. The graffiti tracking system will provide a critical tool to law enforcement for monitoring gang related activity in the community.

Requesting Member: Congressman JERRY LEWIS

Project Name: Riverside County Sheriff's Department Digital Management System

Account: COPS Tech

Legal Name of Requesting Entity: Riverside County, CA

Address of Requesting Entity: 4095 Lemon Street, Riverside, CA 92501

Amount: $450,000

Description of Request: The funds requested will be used for the acquisition of a secure, interconnected, evidence management network for the collection and storage of digital evidence, which will streamline operations and improve law enforcement service to the community. Currently digital evidence is handled in the same manner as physical evidence, resulting in a substantial loss of patrol office and investigator availability. The loss of time is estimated to be thousands of work hours per year.

Requesting Member: Congressman JERRY LEWIS

Project Name: Loma Linda University Space Radiation Health Research Program

Account: NASA–CAS

Legal Name of Requesting Entity: Loma Linda University Medical Center

Address of Requesting Entity: 11175 Campus Drive, Loma Linda, CA 92354

Amount: $2.8 million

Description of Request: The LLU/NASA Lab exists to promote two goals: conducting investigations that clarify the space environment and how it will affect personnel and equipment, particularly for long duration missions; and, developing preclinical data for translation to clinical trials that ultimately will benefit patients treated with proton radiation. LLU is taking a leading role in developing and testing non-toxic countermeasures to protect humankind from radiation exposure, whether that be from space flights, war, terrorist threats or radiation accidents. The LLU/NASA Radiobiology Lab epitomizes the NASA vision "improving life here, expanding life to there, and to find life beyond" and has been doing so on a cost-effective and timely basis.

EARMARK DECLARATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SHUSTER. Madam Speaker, consistent with the Republican Leadership's policy on earmarks, I am placing this statement in the CONGRESSIONAL RECORD.

Requesting Member: Congressman BILL SHUSTER (PA–9)

Bill Number: H.R. 2487—the Commerce, Justice, Science, and Related Agencies Appropriations Act, FY 2010

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES PROJECTS

Project Name: Cambria 9th Public Service Providers, Patton, PA / Law Enforcement Technology and Equipment

Account: DOJ/COPS Tech

Legal Name of Requesting Entity: Cambria 9th Public Service Providers Association

Address of Requesting Entity: 496 Railroad Avenue, P.O. Box 203, Patton, PA 16668

Description of Request/Justification of Federal Funding: $300,000 for Law Enforcement Technology and Equipment

It is my understanding that funding will be used to upgrade and purchase equipment for first responders in northern Cambria County, Pennsylvania. The Cambria 9th Public Service Providers Association is a coalition of police, fire, and EMS providers.

This project is a valuable use of taxpayer funds because it will assist local police, fire, and emergency medical service agencies enhance safety. Specifically, funding will enable first responders to integrate with recently upgraded communications infrastructure.

Project Name: Franklin County Emergency Services Alliance, Chambersburg, PA / Law Enforcement Technology and Equipment

Account: DOJ/COPS Tech

Legal Name of Requesting Entity: Franklin County Emergency Services Alliance

Address of Requesting Entity: 14 North Main Street, Chambersburg, PA 17201

Description of Request/Justification of Federal Funding: $300,000 for Law Enforcement Technology and Equipment

The Franklin County Emergency Services Alliance is a coalition of police, fire, and EMS providers focused on interoperability solutions for local public safety units. It is my understanding that funding for this project would be used to purchase and upgrade equipment for first responders in Franklin County, Pennsylvania.

This project is a valuable use of taxpayer funds because it addresses communications problems between public safety entities by upgrading technology and equipment. Franklin County is home to a major freight transportation hub (CSX railway) and Army weapons depot (Letterkenny) within miles of each other. Franklin County first responders also play a "back-fill" role to the nearby major metropolitan areas of Washington, DC, Baltimore, MD, and Harrisburg, PA.

Project Name: Operation Our Town, Altoona, PA / Drug Treatment and Prevention

Account: DOJ / OJP-Byrne

Legal Name of Requesting Entity: Operation Our Town

Address of Requesting Entity: 5506 6th Avenue Rear, Altoona, PA 16602

Description of Request / Justification of Federal Funding: $300,000 for Drug Treatment and Prevention

Operation Our Town is a non-profit group focused on coordinating resources in Blair County, Pennsylvania to reduce the threats faced by drugs and related crimes. This project is a valuable use of taxpayer funds because the City of Altoona has experienced a substantial increase in drug related incidents in recent years. It is my understanding that funding for the project would be used by Operation Our Town to facilitate partnerships between community and business leaders to fight drug use and crime through proven law enforcement, treatment, and prevention strategies.

It is also my understanding that approximately 50 percent of funding would be used for law enforcement activities, approximately 45 percent of funding would be used for prevention and treatment activities, and approximately 5 percent of funding would be used for other costs.

EARMARK DECLARATION

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. DANIEL E. LUNGREN of California. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I rise today to submit the following information regarding earmarks I received as part of H.R.

2487—the Commerce, Justice, Science and Related Agencies Appropriations Act, 2010.

The following earmarks were requested by my office and are listed for funding in this bill:

County of Alpine & County of Calaveras—Law Enforcement Radio and Data Communications

Requesting Member: DANIEL E. LUNGREN

Bill Number: H.R. 2487

Account: COPS Tech

Requesting Agency: County of Calaveras

Agency Address: 891 Mountain Ranch Road, San Andreas, CA 95249

Amount: $1,250,000

Description: This project creates an interoperable and tactical communications backbone between the Counties of Alpine and Calaveras. Full build out will also connect Counties as far away as San Francisco across the Sierras to the State of Nevada for secondary phone, data and radio interoperability and connectivity. The project fixes local radio operability and interoperability in the two counties in which the Federal Government is the majority land owner.

This project represents an appropriate use of taxpayer funds due to the imperative for interoperability in the provision of emergency services and administration of public safety in two counties in which the Federal Government is the majority land owner.

Folsom Emergency Operations Center

Requesting Member: DANIEL E. LUNGREN

Bill Number: H.R. 2487

Account: OJP-Byrne

Requesting Agency: City of Folsom

Agency Address: 50 Natoma Street, Folsom, CA 95630

Amount: $250,000

Description: This project will expand the crucial capabilities of the Folsom EOC to function for both the City of Folsom and as the Alternative County Site. Best practices highlight the importance of having redundant emergency management capacity to ensure a balanced strategy for handling emergencies.

This project represents an appropriate use of taxpayer funds because it provides a critical capability to both the City of Folsom and California's State Capitol, ensuring emergency operations and first response measures are coordinated with the greatest ability.

EARMARK DECLARATION

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. MCKEON. Madam Speaker, Pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding Member priority requests I received as part of H.R. 2847, The "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010."

Requesting Member: Congressman HOWARD P. "BUCK" MCKEON

Bill Number: H.R. 2847, "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010"

Account: Department of Justice, Juvenile Justice Programs

Legal Name of Requesting Entity: The City of Victorville

Address of Requesting Entity: 14343 Civic Drive, PO Box 5001, Victorville, CA 92393

Description of Request: I requested and received a Member priority request totaling $82,000 to assist with the Uturn Gang Prevention Program evaluation and assessment component. Uturn Gang Prevention Program will focus on elementary school age at-risk youth, along with their immediate families. The focal point will be three areas of accountability: home, school and community. The Uturn program aims to work with at-risk families willing to make a two-year commitment to involvement in services. The goal is to develop at-risk children's full personal potential so that they will not be attracted to gang involvement.

The City of Victorville will contract evaluation and assessment services through California State University San Bernardino, College of Social and Behavioral Sciences, Department of Social Work. Evaluation and assessment services will track participants' behavioral changes, school attendance, communication skills, academic trends, family involvement, and communication skill sets.

Ultimately this program will evaluate and assess the individual and collective development of the youth and families. This program will enhance the family structure and strengthen values. The progress of the program participants will be tracked every 6 months for a two year period insuring behavioral, emotional and family stability. The success of the program insuring gang life will be less attractive and irrelevant to the youth.

Requesting Member: Congressman HOWARD P. "BUCK" MCKEON

Bill Number: H.R. 2847, "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010"

Account: Department of Justice, Juvenile Justice

Legal Name of Requesting Entity: CASA of Los Angeles County

Address of Requesting Entity: CASA of Los Angeles County, Lancaster office, 1040 West Avenue J, Room 1130 Lancaster, CA 93534–3329

Description of Request: I requested and received a Member priority request totaling $300,000 for the Court Appointed Special Advocates (CASA) of Los Angeles County Lancaster program. The funding is specifically to recruit and train additional CASA volunteers to provide advocacy services to 120 additional abused and neglected foster children in the Antelope Valley area. CASA of Los Angeles County will provide any required match for this program.

CASA of Los Angeles services the needs of abused and neglected children in the foster care system through the recruitment, training, supervision and support of community volunteers who investigate the circumstances of each child, facilitate the provisions of services, monitor compliance with the orders of the court and advocate for the best interests of the child.

Requesting Member: Congressman HOWARD P. "BUCK" MCKEON

Bill Number: H.R. 2847, "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010"

Account: Department of Justice, COPS Technology Grant

Legal Name of Requesting Entity: Inyo County, California

Address of Requesting Entity:

Description of Request: I requested and received a Member priority request totaling $240,000 for an Emergency Operations Center for Inyo County. This project will expand an existing Inyo County Sheriff's Department facility that will serve as a dedicated Emergency Operations Center ensuring continuity and effective emergency management in the event of a disaster such as a wildfire or earthquake.

Aspects of this project include site preparation, installation and expansion of existing utilities and data communications, construction, radio communications, and an emergency backup electrical system for emergency operations.

Requesting Member: Congressman HOWARD P. "BUCK" MCKEON

Bill Number: H.R. 2847, "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010"

Account: Department of Justice, Office of Justice Programs, Byrne Grant Program

Legal Name of Requesting Entity: The City of Adelanto, CA

Address of Requesting Entity: The City of Adelanto, 11600 Air Expressway, Adelanto, CA 92301

Description of Request: I requested and received a Member priority request totaling $375,000 to establish an Emergency Operations Center within Adelanto, CA's existing City Hall. This center will serve as the central command and control facility in the event of a disaster and will be responsible for carrying out the protocols of an emergency situation, such as a wildfire or earthquake, and ensuring the continuity of operations.

Aspects of this project include structural renovations, network infrastructure installation, and purchases of equipment like computers, phones, a generator, 800MHz communication radios, and a mobile secondary/backup Emergency Operations Center.

IN SOLIDARITY WITH THE FARCHANA MANIFESTO

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. CAPUANO. Madam Speaker, I rise to pay tribute to the courageous women of Darfur, refugees in the Farchana Camp in Chad, who issued their Farchana Manifesto one year ago this month. I honor also the efforts of Physicians for Human Rights who have worked to treat and comfort survivors of the Darfur genocide and support them in their struggles for human rights and personal dignity. No advocate, however, could speak more powerfully of their plight than the women themselves. The Manifesto has been translated into English and French from the handwritten Arabic original, posted in the Farchana Camp on June 10, 2008.

We, the women of Farchana Camp, have many concerns and problems with the lack of freedom and having the opportunity to speak about freedom.

We can assign these problems to a number of items, including the following:

1. Lack of opportunity for freedom of speech, and no one to listen to what women say.

2. Lack of freedom to go to work or engage in life's activities. If a woman is working in some occupations, responsibility is left to the woman alone in all cases, such as: illness, home activities, and responsibility for

the children. While the man does what he wants with money, the responsibility is left to the woman.

3. Lack of women's equality. One man, if he has the notion, can have one wife or two or more wives.

4. Lack of freedom for women even with their own private property; for example: money, gold, household pots and pans, and livestock.

5. Women are not allowed to make contact with people outside the community. For example: visiting neighbors, family, and friends. And women are not allowed [illegible] to travel far, and if he allows her, he does not give her money, and he tells her, ''This trip is of your own accord.''

6. Lack of acceptance of higher education and universities to enable women to get ahead.

7. Failure to encourage girls in the schools and leaving the responsibility to the mothers.

8. Failure of fathers to take responsibility for girls. If something happens, the mother is blamed, and they make her hear harsh words from the family, and sometimes divorce even takes place.

9. Outside chores, such as: [illegible], provisions, construction, and feeding livestock—that is, all physical demands—are the responsibility of the woman.

10. Failure to show confidence in women, such as leaving the house without the man's knowledge and he tells her, ''You went out to commit adultery.''

11. Failure to value the life of the woman. They only value her in bed. They like a lot of births, but they do not like raising sons and children.

12. Early marriage for girls and compulsory marriage without consent.

13. In the case of meetings, women do not have the freedom to speak at organizations; only men's statements are heard.

14. Women do not know how to submit their complaints—the place and the organization that is concerned about them.

Thank you. We hope to achieve freedom for women in the whole world.

More than sixty years after the adoption of the Universal Declaration of Human Rights, the women of the Farchana Camp challenge us to realize its long-promulgated ideals.

RECOGNIZING THE 25TH ANNIVERSARY OF FATHER FRANCIS P. FOLEY'S ORDINATION

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Father Francis P. Foley on the 25th anniversary of his ordination.

In the spirit of John Cardinal O'Connor, who served both as a Philadelphia priest and as a U.S. Navy Chaplain, Father Foley has served his congregation and his country honorably. Father Foley attended St. Charles Borromeo Seminary in Wynnewood, Pennsylvania, just outside Philadelphia.

At the age of 23, Father Foley was so inspired by a mass at the Naval Academy in Annapolis that he decided to become a Navy Chaplain. He persevered in attaining the chaplaincy, despite the fact that it took him 5 years to convince the archdiocese to allow him to do so. He is a beacon of faith, kindness, and wisdom to all of those lucky enough to have come to know him in his 25 years of devoted service.

Ordained in May of 1984, Father Foley's first service was a mass of thanksgiving the very next day. On the 14th of this month, in tribute to his 25 years of unwavering dedication to his faith and his community, he will be honored during a Jubilee Mass at St. Athanasius in Philadelphia.

Madam Speaker, I am proud to recognize Father Francis P. Foley for his incredible service as a Navy Chaplain, and am extremely honored to serve as his Congressman.

PERSONAL EXPLANATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. LUETKEMEYER. Madam Speaker, I would like to state for the record my position on the following vote I missed while attending a funeral in Missouri:

On Friday, June 12, 2009, I missed rollcall Vote No. 335. Had I been present, I would have voted ''nay'' on rollcall Vote No. 335.

EARMARK DECLARATION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. WOLF. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the Commerce, Justice, Science and Related Agencies Fiscal Year 2010 Appropriations Act.

Requesting Member: The Hon. FRANK R. WOLF

Provision: State and Local Law Enforcement Assistance, Byrne Justice Assistance Grant

Legal Name of Requesting Entity: Northern Virginia Regional Gang Task Force

Address of Requesting Entity: 880 Harrison Street SE, Leesburg, VA 20175

Description of Request: In response to increasing gang activity in northern Virginia, a multi jurisdictional law enforcement task force was established in 2003 to more effectively respond to gang activity. As a result of the task force's efforts, criminal gang activity has declined by more than 50 percent. In order to sustain and maintain these impressive results, the task force requested $3 million in funding, which is included in H.R. 2847.

Requesting Member: The Hon. FRANK R. WOLF

Provision: State and Local Law Enforcement Assistance, Byrne Justice Assistance Grant

Legal Name of Requesting Entity: Northwest Virginia Regional Gang Task Force

Address of Requesting Entity: P.O. Box 49, Berryville, VA 22611

Description of Request: In response to increasing gang activity in the Shenandoah Valley, this task force was established to coordinate and share information with their counterparts at the Northern Virginia Regional Gang Task Force. According to the Federal Bureau of Investigation, the entire northern Virginia region is a hotbed of gang activity. In order to better fight gang activity in this area, the task force requested $1 million in funding, which is included in H.R. 2847.

HONORING DR. GEORGE SEIELSTAD

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. POMEROY. Madam Speaker, I rise today to honor the long and distinguished career of Dr. George Seielstad who is retiring from the John D. Odegard School of Aerospace Sciences at the University of North Dakota (UND) where he was a leading figure in UND's aerospace and earth systems science curriculum. It has been my privilege to have known Dr. Seielstad since he first started at UND. Since that time I have seen first hand the workings of his remarkable mind, his commitment to advancing scientific thought, and his innovative leadership in developing real world applications for spatial technologies.

Dr. Seielstad's tenure at UND will be recognized by his many achievements as well as the many distinguished titles he has held. Upon his arrival in 1993, Dr. Seielstad served as Assistant Dean for Academic Affairs and Professor of Space Studies and was later named the Associate Dean of the Center for Aerospace Science and Director of the Earth System Science Institute. In 1997, he was named the first ever Oliver Benediktson Professor of Astrophysics. In recent years, Dr. Seielstad was appointed Senior Advisor to the President of UND and served in the position of Director for the Northern Great Plains Center for People and the Environment where he directs the Upper Midwest Aerospace Consortium (UMAC).

His cardinal accomplishment at UND came in founding and managing UMAC, which he established in 1994. UMAC is a preeminent research partnership between five universities in Montana, South Dakota, Idaho, and North Dakota working in collaboration in order to serve societal needs through the development of practical applications in Earth System Science information. UMAC has helped collect vital data on complex global environment and climate issues and has led to the development of real world products using satellite imaging, like Agriculture Cameral, which helps educate and bring about solutions for ranchers and farmers on a wide variety of agri-business issues. Multi-university consortiums are very rare because universities compete as much as they collaborate. The growth, success, and longevity of UMAC in large part is due to the vision, leadership, and commitment of Dr. Seielstad.

Even before his arrival at UND, Dr. Seielstad was a notable radio astronomer spending time at the University of Alaska, Caltech's Owens Valley Radio Observatory in Bishop, California, and the National Radio Astronomy Observatory at Green Bank, West Virginia. He graduated summa cum laude with a degree in Physics from Dartmouth College and received his PhD in Physics from the California Institute of Technology. More recently, he served as Chairman of the National Aeronautics and Space Administration's Deep

Space Network Working Group and was appointed by the Secretary of the Interior to serve on the National Satellite Land Remote Sensing Data Active Archive Advisory. He has had over 70 published articles and is the author of two books and the editor of two more.

On a personal level, I have been privileged to enjoy George and his wonderful wife, Delores, as friends. For someone of his distinguished scientific and academic achievements, I have also found George and Delores to be warm hearted, caring, down to earth individuals who shared an extraordinary commitment to make things better. At an earlier point in his career, George almost won a seat in Congress. When that avenue to effect change was not available, he redoubled his efforts in his own work leaving a legacy of accomplishment that is truly incredible.

His impact will be felt by generations to come, by the students he taught, the people that he worked with, and all those who have had the time to get to know him. I wish George and Delores, all their family, the very best and offer my hope for continued success and happiness in the coming years.

PERSONAL EXPLANATION

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. ADLER of New Jersey. Madam Speaker, on Friday, June 12th, I was unable to vote on rollcall vote 335 because I was welcoming the New Jersey National Guard home from Iraq.

The pending matter was H.R. 1256, the Family Smoking Prevention and Tobacco Control Act, which grants the FDA authority over the advertising and marketing of tobacco products.

This legislation is important to my constituents in New Jersey's Third Congressional District because tobacco is the number one cause of preventable death in America.

Had I been present, I would have voted in the following manner.

Roll call vote 335 (Motion to Concur in the Senate Amendment to H.R. 1256) I would have voted "yes."

HONORING ARCHBISHOP ROBERT J. CARLSON, ARCHBISHOP OF THE ARCHDIOCESE OF SAINT LOUIS

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. AKIN. Madam Speaker, I rise today to welcome Archbishop Robert J. Carlson who was installed as Archbishop of the Archdiocese of Saint Louis.

A native of Minneapolis, Minnesota, Archbishop Robert J. Carlson began his seminary education in 1962 at Saint Paul Seminary in Saint Paul, Minnesota, earning a Bachelor of Arts in Philosophy in 1966 and successfully completed his studies earning a Masters of Divinity degree in 1976.

Archbishop Carlson was ordained to the priesthood on May 23, 1970 and served the Archdiocese of St. Paul and Minneapolis for several years until 1977 when he began graduate studies at the Catholic University of America, where he earned a Licentiate in Canon Law.

Thirteen years after his ordination to the priesthood Archbishop Carlson was named Auxiliary Bishop of St. Paul and Minneapolis by His Holiness, Pope John Paul II, choosing for his episcopal motto: ANTE CRUCEM NIHIL DEFENSIONIS ("Before the Cross There Is No Defense"). Archbishop Carlson was later named Coadjutor of the Diocese of Sioux Falls in 1994 and succeeded Bishop Paul V. Dudley as the 7th Bishop of Sioux Falls in 1995. Less then ten years later he was named Bishop of Saginaw by His Holiness, Pope John Paul II in December 2004 and was installed as its 5th Bishop in February 2005 by Archbishop Gabriel Montalvo, Apostolic Nuncio to the United States of America.

Archbishop Robert J. Carlson was appointed Archbishop of St. Louis by His Holiness, Pope Benedict XVI, on April 21, 2009. He is the 9th Archbishop and the 10th Bishop of St. Louis since its establishment as a diocese in 1826.

The St. Louis Archdiocese comprises more than one-half million Catholics, who worship at its 198 churches and chapels. More than 48,700 children attend the 152 Catholic schools in the Archdiocese.

I ask that my colleagues join me today in welcoming Archbishop Carlson and congratulating him on his new appointment.

EARMARK DECLARATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to the House Republican standards on congressionally-directed funding, I am submitting the following information regarding funding included in H.R. 2487, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2010.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 2487

Account: Department of Justice, Office of Justice Programs—Byrne Discretionary Grants

Legal Name of Recipient: Operation UNITE

Address of Recipient: 2292 South Highway 27, Somerset, KY 42501

Description of Request: Provide $4,450,000 in directed funding to Operation UNITE, a comprehensive program to combat the scourge of drug abuse in southern and eastern Kentucky by coordinating federal, state and local efforts in law enforcement, treatment and education. Operation UNITE has arrested 3,028 drug dealers and removed over $8.64 million worth of drugs off the street, including 86,068 prescription pills, 450 pounds of marijuana, 11.7 pounds of meth and 23 pounds of cocaine. Over 2,050 non-violent offenders have participated in UNITE-funded drug courts, and more than 1,430 individuals grappling with addiction have received vouchers for treatment. Funding in FY10 will be used to continue vital enforcement activities, effective treatment programs partnered with local governments, community organizations and faith-based groups, as well as expand an intensive education program to warn school children of the dangers of drug abuse.

Requesting Member: Congressman HAROLD ROGERS

Bill Number: H.R. 2487

Account: NOAA—Operations, Research and Facilities

Legal Name of Recipient: Eastern Kentucky PRIDE, Inc.

Address of Recipient: 2292 South Highway 27, Somerset, KY 42501

Description of Request: Provide $1,000,000 in directed funding for Eastern Kentucky PRIDE, Inc., the first initiative specifically created to solve severe environmental degradation problems in southern and eastern Kentucky. PRIDE, a non-profit organization, unites citizens with the resources of federal, state and local governments in order to improve water quality in the region, clean up illegal trash dumps and other solid waste, and promote environmental awareness and education to break the cycle of pollution. To date, PRIDE has recruited more than 287,720 volunteers, provided 28,089 homes with access to sanitary wastewater treatment, and cleaned up 588,161 bags and an additional 135,884 tons of trash. Funding in FY10 will be used to continue these vital environmental and educational initiatives in Appalachian Kentucky.

EARMARK DECLARATION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. BURGESS. Madam Speaker, pursuant to the U.S. House of Representatives Republican Leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of H.R. 2487, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010:

(1) Denton Regional Public Safety Training Facility, Denton, TX—$1,000,000—Byrne Discretionary/COPS Technology—Congressman MICHAEL C. BURGESS

The purpose of this project is to provide the new Denton Public Safety Training Facility with equipment and technology. The requested funding will help equip the facility, including fire simulation equipment, computerized firearm targeting systems, classroom-based virtual reality simulation equipment and administrative/classroom multimedia equipment. The total project cost is $19,260,000—$4,452,000 federal and $14,808,000 City of Denton. The City of Denton has paid $2.03 million for the 88-acre site of the facility, $205,000 on the master plan for the facility and the City Council has approved $12,600,000 to construct the facility.

City of Denton is located at 215 East McKinney, Denton, TX 76201

IN RECOGNITION OF THE LEADERSHIP TRAINING INSTITUTE OF AMERICA

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. BOOZMAN. Madam Speaker, it is my pleasure to recognize and commend the Leadership Training Institute of America for its outstanding contributions to the development of our nation's youth. This organization is changing the world and shaping the future by inspiring Christian leaders to develop their critical thinking skills, study world view agendas and strategies, influence their communities with a Biblical world view, and excel as leaders.

LTIA, headquartered in Fayetteville, Arkansas, is a cultural think tank that provides high school and college age students with training and opportunities in cultural dynamics and leadership values. This organization's mission is to identify, inspire, and instruct students for world view leadership and it has done that with hundreds of youth around the world.

It is imperative for us to have organizations like this that are on the forefront of training youth in world view struggles, which enables them to defend their beliefs and to understand why traditional, conservative values are important to a free and secure society. These are the biblical values that our country was founded on.

The students are encouraged to apply and excel in leadership, critical thinking skills, scientific knowledge, historical facts, world view conflicts and strategies and Biblical wisdom. They are exposed to the major philosophies, views, and issues of our world today and are encouraged to pursue careers in influential sectors of society.

With great pride, I salute the Leadership Training Institute of America for its unrelenting dedication and commitment in training and equipping our youth for the challenges they will face tomorrow in the dynamic and ever changing world.

SHIPPENSBURG UNIVERSITY DISTANCE MEDLEY RELAY SQUAD

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SHUSTER. Madam Speaker, I rise today to honor the accomplishments of the Shippensburg University Distance Medley Relay Squad, who won the Division II Track and Field National Championship and who were the top Division II team at the Penn State National Invitational—finishing second with only one Division I team finishing ahead of them in their event.

The team of four posted an awe-inspiring time of 11 minutes and 30 seconds at the Penn State Invitational, crushing the former conference and school records. Junior Mary Dell, junior Shannon Hare, sophomore Abby Huber, and freshman Neely Spence went on to the national championship meet where they also took home the title. They also succeeded in setting a new championship record of 11 minutes and 24 seconds, besting the previous record of 11 minutes 29 seconds. This exceptional win marks the second indoor track and field championship won by a women's team in Shippensburg University history.

The team has a history of record breaking. Last year the S.U. squad captured the Pennsylvania State Athletic Conference record, earning Dell, Huber, Hare and sophomore Jamie McCollum All-American status for their performance at the Division II National Championships. Through strength, perseverance, and devotion the team has proven to be leaders of not only the track and field team, but throughout the University. They have brought much pride to Shippensburg University, the surrounding community, family and friends.

I congratulate the Shippensburg University Distance Medley Relay Squad on their great accomplishments. I am sure that they will all continue to lead and inspire others through their dedication and hard work.

RECOGNIZING MEREDITH BUCK, 2009 RECIPIENT OF THE FLORENCE NIGHTINGALE AWARD

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Meredith Buck as a 2009 recipient of the Florence Nightingale Medal, the highest international honor in the nursing field. The Medal is awarded by the International Committee of the Red Cross for "exceptional courage and devotion to caring for the victims of armed conflict or other disasters, or exemplary services and a creative and pioneering spirit in the areas of public health or nursing education". Ms. Buck is one of only 28 nurses in the world receiving this honor in 2009.

Ms. Buck joined the Southeastern Pennsylvania Chapter of the Red Cross immediately following the attacks of September 11th, and has been dedicated to emergency relief ever since. Locally, she has responded to dozens of disasters, volunteering as a nurse and as a Disaster Action Team responder for various county organizations. Nationally, she has responded to twelve disasters in locations ranging from New York to Texas to Guam.

Ms. Buck has demonstrated remarkable leadership in her field, having served as an instructor for the Emergency Services Department. She is also the co-captain of the Disaster Health Services Team, a group comprised of 126 nurses, nursing assistants, EMTs, and other medical personnel trained to respond to disaster-affected clients utilizing Red Cross medical assistance.

Along with these accomplishments, Ms. Buck has repeatedly proven her dedication to the clients of the Red Cross. From mentoring new volunteers as a back-up on-call nurse every other day of the week to traveling to a disaster site in the middle of the night, Ms. Buck has regularly worked all hours for those in need of her care.

Madam Speaker, I am proud to recognize Ms. Meredith Buck for her outstanding commitment to her local community, as well as her country, and am extremely honored to serve as her Congressman.

EARMARK DECLARATION

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2010 Commerce, Justice, Science and Related Agencies Appropriations Act.

Requesting Member: Congressman LAMAR SMITH

Bill Number: H.R. 2487

Account: DOJ—OJP—Byrne

Legal Name of Requesting Entity: City of Austin

Address of Requesting Entity: 301 West 2nd Street, Austin, TX 78701

Description of Request: I have secured $250,000 for the City of Austin to install security cameras in pedestrian-heavy and high-crime locations. This technology will allow the Austin Police Department (APD) to "expand its police force" by providing the capability to monitor activity from a central location. The requested funding may also be used to purchase temporary storage space for digital evidence obtained from security cameras and to purchase a mobile training facility. Police cameras have been shown to reduce crime and provide video evidence that bolsters the prosecution of criminal cases. APD will use the cameras to fight all crime, with a focus on potentially life-threatening crimes such as assaults and robberies which have recently increased in various City locations. Also, as the department grows, and on-going officer training is needed, the mobile facility will greatly enhance Austin's abilities to meet law enforcement standards. The versatility of the mobile facility would allow for both daytime and night fire training opportunities at a cost that is significantly less than the construction of a full scale range. The City of Austin will match any federal funds that the delegation secures for this project. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman LAMAR SMITH

Bill Number: H.R. 2487

Account: DOJ—COPS Technology

Legal Name of Requesting Entity: City of San Antonio, Texas, Police Department

Address of Requesting Entity: 214 West Nueva, San Antonio, TX 78207

Description of Request: I have secured $1,100,000 for the City of San Antonio for the installation of a digital imagery capture and storage system, and in-car video equipment. The first phase will be the conversion of the current photographic evidence from current CD/DVD storage to a dual server and SAN storage system. This system would reside in two separate locations, for security purposes and protection against catastrophic loss. Additionally, current Evidence Unit cameras (photographic and video) would be upgraded to allow for compatibility with the new system. In order to allow instant downloading of evidence, the wireless connectivity between the Evidence Unit vehicles and the servers would be also be upgraded. The second part will be the installation of a video camera and transmitter-activated equipment in each patrol car

and motorcycle assigned to the Police Department's Traffic Division. This Division is tasked with city wide traffic and other law enforcement activities and focuses along all major thoroughfares and arterials. By initiating the program with the Traffic Division, full coverage of the entire City will be achieved. The implementation of the digital image storage system and in car cameras will increase officer safety and provide high quality documentation and evidence of police activity. This will translate into an increase in successful prosecutions and citizen safety. Local funding shortage/issues have kept this program from being implemented. Due to the technical nature of the program, a full time position will be required to manage and maintain the system. The City of San Antonio will hire a full time Technician as a matching portion of the program. Salary and benefits for such a position are estimated at $55,000 per year. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman LAMAR SMITH

Bill Number: H.R. 2487

Account: DOJ—OJP—Byrne

Legal Name of Requesting Entity: Texas State University—San Marcos (on behalf of the City of Lakeway Police Department)

Address of Requesting Entity: 601 University Drive, San Marcos, TX 78666

Description of Request: I have secured $1,300,000 for Texas State University's ALERRT Program. ALERRT seeks funding to train additional police officers and to further promote the nationally standardized format and train-the-trainer capacity to meet the training needs of the more than 16,000 police departments across the nation. This valuable training will allow first responding patrol officers to more effectively deal with acts of violence before they evolve into full-blown, national tragedies. Funding will allow for better-trained law enforcement agents and safer communities. ALERRT provides first responders with the tactics they will need to effectively respond to active shooter situations. Currently, there are 423 requests pending for ALERRT training. Additional funding for ALERRT would enable the program to train more patrol officers, including Lakeway Police Department, and thereby improve the safety of our nation's communities. I certify that neither I nor my spouse has any financial interest in this project.

EARMARK DECLARATION

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. ROHRABACHER. Madam Speaker, pursuant to the requirements of the Republican Conference of the House, I am submitting for the RECORD the following information regarding earmarks I received, which were included in the reported version of H.R. 2847, the "Commerce, Justice, Science and Related Agencies Appropriations Act of 2010."

Requesting Member: Congressman DANA ROHRABACHER (CA–46)

Bill Number: H.R. 2847

Name of Project: Virtual Interactive Training Simulator

Account: Department of Justice, OJP—Byrne

Legal Name of Requesting Entity: The Criminal Justice Training Center, Golden West College, Huntington Beach, CA

Address of Requesting Entity: 15744 Golden West Street, Huntington Beach, CA 92647

Description of Request: I received $900,000 for Golden West College's Virtual Interactive Training Simulator. Funds will be used for purchase of a virtual training facility for regional law enforcement. The simulator offers a cost-effective approach by creating an engaging virtual training solution. The system immerses the trainee in a realistic 3–D environment, with the sense of immersion being enhanced both by the high-fidelity situational rendering and by the ease of navigating through the environment using simple controls mounted on the tether-free simulated weapons. It is my understanding funds will be used consistent with the following manner:

For the system hardware, software and simulated weapons: $463,432

For the trailer classroom: $252,221

Truck with towing package: $66,623

Training of instructors on virtual training system: $58,513

Twelve training databases and scenarios: $109,211

Requesting Member: Congressman DANA ROHRABACHER (CA–46)

Bill Number: H.R. 2847

Name of Project: Asian Criminal Enterprise Initiative

Account: Department of Justice, OJP—Byrne

Legal Name of Requesting Entity: City of Westminster, CA

Address of Requesting Entity: 8200 Westminster Blvd., Westminster, CA 92683

Description of Request: I received $290,000 for the city of Westminster's Asian Criminal Enterprise Initiative. Funding is for the third and final year of federal funding for the city of Westminster's Asian Criminal Enterprise Initiative. The detectives assigned to the Little Saigon Substation are already in operation, focusing on identifying, investigating and dismantling criminal enterprises, having both national and international implications, within the Little Saigon area. Under this project, the Westminster Police Department's Crimes Against Public Unit occupies office space within the Little Saigon district of Westminster, placing a powerful investigative engine into the heart of the area where Asian Criminal Enterprises operate. The city will provide a $776,000 match. It is my understanding federal funds will be used in the following manner:

Office Space: $60,000

Utilities: $12,000

Vehicles/Maintenance: $44,000

Police Aides: $31,700

Police Service Officer: $96,000

IT Support: $6,000

Travel/Training: $15,000

Safety Equipment: $10,000

Operational Funds: $15,000

Requesting Member: Congressman DANA ROHRABACHER (CA–46)

Bill Number: H.R. 2847

Name of Project: Mobile Live Scan Fingerprint Devices for LA and Orange Counties

Account: Department of Justice, COPS Tech

Legal Name of Requesting Entity: California Department of Justice, Sacramento CA

Address of Requesting Entity: 1300 I Street, Sacramento, CA 95814

Description of Request: I received $100,000 for the California Department of Justice's Mobile Live Scan Fingerprint Devices. Funds will be used for a Justice Information Sharing initiative called "Vision 2015" that will significantly enhance the quality and usability of criminal justice identification and records information maintained by the state. The project will include the deployment of mobile Live Scan devices for use in police vehicles that will allow officers to capture fingerprint identification and arrest information during the citation and/or arrest of a subject. It is my understanding the California Department of Justice has allocated $3.8 million for this project. It is further my understanding that federal funds will be used consistent with the following manner:

$210,000—purchase and deployment of live scan devices for law enforcement vehicles in LA and Orange Counties.

$140,000—purchase and installation of necessary software/infrastructure for CA DOJ and local courts.

IN RECOGNITION OF THE PASSING OF LANE GILCHRIST, MAYOR OF GULF BREEZE, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. MILLER of Florida. Madam Speaker, I rise to honor Lane Gilchrist, Mayor of Gulf Breeze, Florida, who passed away on June 12, 2009. Mayor Gilchrist served the people of Northwest Florida with honor and distinction, and I am humbled to recognize this community leader.

Lane Gilchrist spent a lifetime serving others. After graduating from Auburn University in 1958, Lane joined the United States Navy. He spent over twenty years both on active duty and in the reserve, retiring in 1979 as a Lieutenant Commander. He also began a career at Gulf Power, and quickly rose through the company to become Fuel and Environmental Affairs Manger. Mr. Gilchrist spent 35 years with Gulf Power, retiring in 1996.

In 1982, Lane Gilchrist was elected to the City Council of Gulf Breeze. With a salary of only one dollar a year, the city council is truly a place for those who want to give back to their community. After serving as Mayor Pro Tem for ten years, Mr. Gilchrist became mayor in 1992 where he remained ever since. In fact, Mayor Gilchrist was one of the longest serving active public officials in Florida. His dedication to the people of his community was superb. As mayor, Mr. Gilchrist guided Gulf Breeze through four devastating hurricanes–Erin and Opal in 1995, and Ivan and Dennis in 2004 and 2005. His leadership through these trying times will be forever remembered by our community.

The people of Gulf Breeze have many reasons to be proud of Lane Gilchrist, and I am honored to be able to recognize such a great leader and friend. My wife Vicki and I will keep his entire family, especially his wife, Suzie, and sons, Lane, Jr. and Michael, in our prayers. Mayor Gilchrist will be missed by all of us in Northwest Florida.

EARMARK DECLARATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Ms. GRANGER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I, KAY GRANGER, submit the following information regarding earmarks I received as part of the bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 20, 2010, and for other purposes (H.R. 2847).

For the project titled "Child Abuse Training Programs for Judicial Personnel: Victims Act Model Court Project" in H.R. 2847, OJP-Byrne Discretionary Grants account, the legal name and address of the requesting entity is the National Council of Juvenile and Family Court Judges, 1041 North Virginia Street, Third Floor, Reno, Nevada 89503. The $1,875,000 in the bill for this project will be used in planning and programming for work in Model Courts and in jurisdictions nationwide, including site-based and local, regional and national interdisciplinary training programs; Model Court site visits; Model Court cross-site visits; All-Sites Meetings; outreach to national State Court Improvement Programs; direct technical assistance to Model Courts and other jurisdictions nationwide; mentoring of non-Model Court jurisdictions; publications for national dissemination; research to evaluate Model Court work; and networking with national organizations. This project focuses on improving court practice in handling child abuse and neglect cases in jurisdictions across the country, and will have significant impact on the over 513,000 children in the nation's foster care systems. This juvenile justice prevention model has provided the ability to courts to not only improve their practice, but to provide long-term solutions to children and families. Through judicial education, strategic planning, evaluation and technical assistance (TA), this project has resulted in reducing the time in the system for children in foster care and the numbers of children in care in jurisdictions across the country, and has improved the quality of care children receive while under the court's jurisdiction. The National Council of Juvenile and Family Court Judges is supported by a number of funders both federal, state and private; and national and state-based that supports related work. Supplemental funding for this project has been applied for in the past, as NCJFCJ continually seeks a variety of funding sources for its projects.

For the project titled "Advanced Law Enforcement Rapid Response Training (ALERRT)" in H.R. 2847, OJP-Byrne Discretionary Grants account, the legal name and address of the requesting entity is the Texas State University, 601 University Drive, San Marcos, Texas 78666. The $1,300,000 in the bill for this project will enable Texas State University to build ALERRT's Train-The-Trainer capacity to meet the training needs of the more than 650,000 law enforcement agents across the nation. Since 2002, ALERRT has trained more than 16,000 first responding patrol officers. It is an ongoing project to ensure that law enforcement officers have the most up-to-date training available on how to effectively respond to, address, and stop an active shooter. Funding will enable the program to be established as a national training system; to further build train-the-trainer capacity; to enhance retention of learned skill by former students; to provide valuable research and evaluation to improve first responder abilities; and to provide investigative training and support for evolving threats. Texas State will provide any required matching funds.

EARMARK DECLARATION

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. BOOZMAN. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2487—the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010

Requesting Member: Congressman JOHN BOOZMAN

Bill Number: H.R. 2487

Account: DOJ, OJP-Byrne

Legal Name of Requesting Entity: Criminal Justice Institute (CJI) at the University of Arkansas, 7723 Colonel Glen Road, Little Rock, AR 72204

Address of Requesting Entity: see above

Description of Request: The funding of $600,000 for the Arkansas School Resource Officer Program will be used to create a uniform School Resource Officer Program for Arkansas, which currently has no uniform standards, training guidelines or certification requirements for School Resource Officers. The funds will provide education and training for SRO's and school officials and provide safe school on-site assessments of Arkansas schools.

Requesting Member: Congressman JOHN BOOZMAN

Bill Number: H.R. 2487

Account: DOJ, COPS-Meth

Legal Name of Requesting Entity: Criminal Justice Institute (CJI) at the University of Arkansas, 7723 Colonel Glen Road, Little Rock, AR 72204

Address of Requesting Entity: see above

Description of Request: The funding of $575,000 for the Arkansas Methamphetamine Education and Training Project will be used to provide the Arkansas law enforcement community with methamphetamine-focused courses that emphasize officer awareness and safety, effective management and investigation of methamphetamine-related cases, and the identification and rescue of Arkansas's methamphetamine-affected children.

EARMARK DECLARATION

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. GOHMERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2010.

Texas Cyber Security Research and Training Institute Project. Department of Justice, OJP–Byrne. The University of Texas at Tyler, 3900 University Boulevard, Tyler, Texas 75799, $529,000 to conduct research in conjunction with Mississippi State University on petroleum industry computer security and train law enforcement personnel in computer forensics. As cyber technology has progressed and gained importance internationally, the risk of security breaches and cyber related crime has dramatically increased, putting our nation at extreme risk to neutralization of our ability to produce and utilize energy. This project provides for instruction and training to provide a line of defense against these increased technological risks.

EARMARK DECLARATION

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. ALEXANDER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Commerce, Justice Science, and Related Agencies Appropriations Act, 2010, H.R. 2847.

Congressman RODNEY ALEXANDER

H.R. 2847

Department of Commerce—NOAA ORF

Louisiana State University located at 156 Thomas Boyd Hall, Baton Rouge, LA 70803.

The Louisiana Geodetic Spatial Reference Center; $700,000. The goal of this project is to establish a Coastal Risk Management Institute to build the practices associated with living in coastal environments in the US and around the world through new partnerships in science, art and architecture and policy with engineering that reduces coastal hazards and enhances societal resiliency. This goal of the Institute is made possible by the alignment of coastal resiliency, infrastructure development and emergency management. Coastal resiliency is providing communities with accurate guidance of risks and ways that regional planning through housing development, landscape architecture, transportation systems and policy can be integrated to building smarter neighborhoods in the future to cope with increasing challenges of coastal landscapes. Infrastructure development includes designing both built and natural assets of coastal regions that must be integrated to provide protection, restoration, and economic development in ways that provide for more sustainable development. Emergency management includes forecasting, preparing, responding and mitigating the disaster events that occur in coastal regions. You can see how all three features of the proposed Coastal Risks Management Institute that is integrated to focus on reducing the risk of living and doing business in our critically important coastal margins is of national interests. The institute will consist of the following: LSU Coastal Sustainability Studio—A think tank that will harness earth, ecological and environmental systems research with engineering and landscape architecture to develop new concepts, knowledge, skills and

problem solving approaches to be implemented in coastal regions around the world. LSU Hurricane Center—The Center will be leveraged with existing localized efforts in coastal hazards modeling and observation systems to provide the knowledge needed for a more integrated approach in coupling earth surface dynamics with storm surge modeling; work on toolkits to provide operational services and information during coastal hazard events; work with disaster management to improve community resilience and serve emergency managers in operational mode. LSU Coastal Systems Engineering Laboratory—CSE Laboratory is an integrated join enterprise amount science, engineering and high-performance computing communities of the region that has implications for increased capability of forecasting dynamic earth systems using new investments in sensors, observations, modeling and cyber infrastructure. The CSE Laboratory will pioneer the development of an integrated modeling system to support the needs of coastal system science and engineering.

Congressman RODNEY ALEXANDER

H.R. 2847

Department of Commerce—NOAA ORF

Southern Regional Climate Center, 260 Howe-Russell Building, Baton Rouge, LA 70803.

NOAA Regional Climate Center program; $850,000. The funding will be used to continue and enhance the vital climate data services performed by the NOAA Regional Climate Centers (RCC). The RCC program was authorized by the 1978 National Climate Program Act. The RCCs are administered by the National Environmental Satellite, Data, and Information Service (NESDIS) and the National Climatic Data Center (NCDC). The program has been in existence since the mid-1980's and has been funded by Congress every year since its inception. There are six regional centers located in New York, Illinois, Louisiana, Nebraska, Nevada and North Carolina. The six RCCs are an integral part of the NCDC's three tier national climate services support program, which includes the NCDC, the RCCs and state climatologists. The RCCs are the only entities in the country—public or private—that provide this type of climate data, analysis and information services. The Federal government, as well as State and local agencies, rely on the climate services the RCCs provide and have no other resource for this information. The funding is for ongoing program expenses, which include salaries/benefits, equipment, supplies, travel expenses, journal page charges, stakeholder workshops, and indirect costs.

Congressman RODNEY ALEXANDER

H.R. 2847

Department of Justice—COPS Tech

Louisiana Sheriff's Association, 1175 Nicholson Drive, Baton Rouge, LA 70802.

Law Enforcement Technology and Equipment; $300,000. This funding request is for equipment for a new project and is a onetime expense. This funding is for the proposed LSA Institute, which will serve as an education and training center for local and state law enforcement officers. This funding will serve dual purposes in providing critical technology such as video, audio and communication equipment used for training / education purposes and real life emergency responses. In addition, the LSA Institute will also serve as a hub for the Louisiana Sheriffs' Emergency Task Force, a task force comprised of deputies across the state who respond to emergency events when needed. The LSA Institute will be housed at 1175 Nicholson Drive, Baton Rouge, LA 70802. The LSA is uniquely positioned to perform this function as it is governed by the Sheriffs, and it is the Sheriffs who have the greatest Constitutional responsibility for law enforcement and public safety at the local level, and who have the manpower necessary to cover such functions. Additionally, the long history of cooperation and coordination among LSA, the Chiefs of Police, and other local first responder agencies, as well as the state, make this project a logical next step toward providing this training (i.e. emergency response, FEMA/DHS rules and regulations, etc.) and securing the resources necessary to respond to the next catastrophic event in a timely, well organized manner.

Congressman RODNEY ALEXANDER

H.R. 2847

Department of Justice—COPS Meth

City of Bastrop, LA, 202 East Jefferson, Bastrop, LA 71221.

Bastrop-Morehouse Parish Meth Initiative; $650,000. The City of Bastrop is seeking funds to expand efforts to combat methamphetamine production and trafficking and to enhance policing initiatives in "drug hot spots"

EARMARK DECLARATION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. YOUNG of Florida. Madam Speaker, pursuant to the House Republican Standards on Congressional appropriations initiatives, I am submitting the following information regarding projects that were included at my request in H.R. 2487, the Fiscal Year 2010 Commerce, Justice, Science, and Related Agencies Appropriations Bill.

FLORIDA SILVER ALERT PROGRAM

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants

Legal name and address of requesting entity: Florida Department of Law Enforcement, 2331 Phillips Road

Description of request: $100,000 is included in the bill for the Florida Department of Law Enforcement for the Florida Silver Alert Program, which is a standardized and coordinated law enforcement and state agency response to share information with the public to improve the chances of a safe recovery of a missing elderly person suffering from dementia. The Silver Alert program is designed to quickly disseminate descriptive information about a missing person who suffers from dementia, so that citizens can be on the lookout for the endangered elderly person and notify local law enforcement with any relevant information. The program is a cooperative effort among Florida local and state law enforcement agencies, Department of Transportation, Department of Elder Affairs and the media. In partnership with these agencies, the Florida Department of Law Enforcement is requesting funding to improve the current system and to facilitate public awareness/education, and outreach. In October 2008 the Silver Alert Program became operational in Florida, administered by the Florida Department of Law Enforcement, Missing Endangered Person Information Clearinghouse hereinafter referred to as the "Clearinghouse". In the first six months, Silver Alerts have been activated 58 times resulting in the direct recovery of 10 elderly persons with dementia. As this is a relatively new program, not all local law enforcement agencies are aware of the program or the criteria to activate a Silver Alert. It is recommended that printed, laminated guides be distributed to patrol officers. These guides would include the criteria and resources available to law enforcement when an elderly person with dementia is reported missing. This is the first federal funding requested for this project.

NATIONAL CLEARING HOUSE FOR SCIENCE, TECHNOLOGY, AND THE LAW AT STETSON UNIVERSITY COLLEGE OF LAW

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants

Legal name and address of requesting entity: Stetson University College of Law, 1401 61st Street South, Gulfport, FL 33707

Description of request: $400,000 is included in the bill for the National Clearing House for Science, Technology, and the Law at Stetson University College of Law to build and maintain the world's only searchable comprehensive bibliography on law, science, and technology. This database contains court decisions and commentary, scholarly publications, commercial applications, professional associations and institutions, and other resources about traditional and new forensic topics, such as Identity Theft, Intra and Interstate Tracking of Sexual Predators, Canine Sniff Detection, and Less Lethal Technologies. It contains 18 resource categories for each of 33 topics in science and technology. At present, it contains more than 65,000 records, and more than 1,500 entries a month are added. Visitors from more than 110 countries have visited the site. In addition, comprehensive Cold Case and Identifying the Missing resources have recently been added to the site. No other such national resource exists. The online database also includes a quarterly newsletter which focuses on the latest topics such as Methamphetamine, Shaken Baby Syndrome, Cyber Forensics, Post-Conviction DNA Testing, Bioterror and the Physician, and Virtual Autopsies. Funding will also enable Stetson to continue building an important reference collection of law, science, and technology material to meet the needs of law enforcement personnel, legal professionals, crime lab personnel, national security professionals, medical examiners, and public health professionals. These professions face challenges due to a lack of access to information regarding new areas of science and technology. The Clearinghouse reference collection allows access via interlibrary loan to physical materials not readily available at local libraries. Important forensic science collections are being donated to the clearinghouse on a regular basis for use by these professionals. Stetson will use this funding for two new initiatives. The first is the development of training modules and primers to be made available through distance education technology. These cross-disciplinary modules will focus on training scientists in the complex workings of the legal system. They also provide lawyers with much needed education in various scientific and technological disciplines. Law 101 will focus on testimony skills for expert witnesses, scientists and law enforcement personnel. The primers, written by lawyers, scientists, and educators, will cover the basic

elements of a science or technology and principles of law. They will provide practical advice regarding motions in limine, locating and qualifying an expert, direct and cross-examination of the expert, and legal issues that arise in such cases. The second initiative will be to support the federal DNA initiative. The goal of this project is to provide training about the applications and limitations of DNA evidence to defense counsel handling cases involving biological evidence, as stated in the President's DNA Initiative. To achieve this goal, the Clearinghouse is working closely with the National Institute of Justice (NIJ) and an expert Advisory Group to develop training that will provide defense attorneys with the general knowledge of the uses of DNA evidence in judicial proceedings as it pertains to discovery and ethics, proper closing arguments, case assessment, etc. The training will complement other forensic DNA evidence resources developed by NIJ, such as the "Officers of the Court" CD-ROM, which provides a foundational understanding of the science, technology, statistics, and other non-advocacy topics. Training will occur across the country and will incorporate "Train the Trainer" sessions to further broaden outreach efforts. Previous funding has been provided to Stetson for the National Clearinghouse in the following amounts: FY 2003—$1,768,430, FY 2004—$2,968,432, FY 2005—$2,959,930, FY 2006—$1,682,119, FY 2009—$400,000.

NATIONAL FORENSIC SCIENCE TECHNOLOGY CENTER

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants

Legal name and address of requesting entity: The National Forensic Science Technology Center, 7881 114th Avenue North, Largo, FL 33773

Description of request: $2,000,000 is included in the bill for the National Forensic Science and Training Center (NFSTC), which is a Department of Justice-selected Forensic Technology Center of Excellence. With these funds, the NFSTC will continue to provide for the Office of Justice Programs an assessment program to audit the capabilities and quality of DNA laboratories throughout the United States which receive agency funding. NFSTC not only assists laboratories in improving their performance in DNA analysis, but also provides grant recipients with an objective review of their use of federal funds. Previous funding has been provided to NFSTC, which employs 34 people in Pinellas County, Florida, in the following amounts: FY 2000—$1,899,822, FY 2001—$2,594,280, FY 2002—$8,500,000, FY 2003—$2,980,000, FY 2004—$1,978,000, FY 2005—$1,973,286, FY 2007—$1,973,286, FY 2008—$2,030,400, FY 2009—$1,750,000.

NATIONAL TERRORISM PREPAREDNESS INSTITUTE AT ST. PETERSBURG COLLEGE

Account: Department of Justice, Office of Justice Programs, Byrne Discretionary Grants

Legal name and address of requesting entity: St. Petersburg College, 3200 34th St. South, St. Petersburg, FL 33711

Description of request: $1,500,000 is included in the bill for the National Terrorism Preparedness Institute (NTPI) at St. Petersburg College, for training support programs for law enforcement and other emergency responders through the rapid research, development, and delivery of customized anti-terrorism training and professional development materials and scenario models. NTPI seeks to deliver the highest quality content and instructional technology delivery systems to meet the unique training needs and time constraints of the trainees. These materials are delivered through traditional classroom training or distance learning technologies and the topics are determined by and based on the needs of the Departments of Justice and Homeland Security. Areas that have been covered in the past include implementation of the National Infrastructure Protection Plan, expanding regional collaboration, implementation of the National Infrastructure Protection Plan, strengthening information sharing and collaboration capabilities, and enhancing Chemical, Biological, Radiological/Nuclear, and Explosive detection, response, and decontamination capabilities. Previous funding of $800,000 was provided in FY 2009.

PINELLAS COUNTY AT-RISK YOUTH DIVERSION PROGRAM

Account: Department of Justice, Office of Juvenile Justice and Delinquency Prevention

Legal name and address of requesting entity: Pinellas County Board of County Commissioners, 315 Court Street, Clearwater, FL 33756

Description of request: $300,000 is included in the bill for the Pinellas County Juvenile Assessment Center to serve as a centralized point of entry for pre-arrest and arrested juveniles. The Center will coordinate an array of proven best practices and research-based methods of community-based treatment and ancillary services to enable law enforcement and social services to work together to access and determine the best needs and services for each youth. Juveniles will be screened to identify their unique needs and issues, including history, home environment and behavior for inclusion in the associated programs. Additional assessments will be administered for those with mental health and/or substance abuse issues. Case managers will be on call to assist youths with residential or outpatient services; mentoring and recreational activities; counseling; and aftercare. Low risk offenders between the ages of 7 and 14 will be assessed for referral to the Pinellas County Sheriff's On-Track early intervention program that provides guidance in an intensive and structured environment. The program serves at-risk youth, both male and female who are current students residing in Pinellas County. The youth who are between 7 and 14 years old are either first time offenders experiencing problems at school (truancy, violence, suspensions, other school problems) or are experiencing problems at home (ungovernable behavior). This program is expected to provide new avenues and opportunities for both high risk and low risk youth. An evaluation of the program will be conducted including impact to recidivism for the high risk offenders. For the On-Track program, outcome rates of 50 percent reduction in unexcused absences and school related disciplinary referrals along with a 50 percent increase in community referrals for families and improvement in family communication skills are expected goals. The program is anticipated to have positive outcomes of both a human and economic nature. Currently, the county is housing over 50 youth a month in the detention center for Failure to Appear currently at $178 per day. In December 2008, the average length of stay at the Juvenile Delinquency Center was nine days, which means for 50 juveniles with Failure To Appear violations, the detention costs of $80,100 could be diverted to provide bed days and services to those who are currently in jail to be transferred to JDC. Diverting youth charged with such minor offenses away from the center will save on food and medical costs, and will free up space to accommodate juvenile offenders charged with more serious crimes, preventing them from being housed in an adult correctional facility. Additionally, diverting low risk youth and preventing future system involvement aids in reducing future youth detention. No previous federal funds were requested for this project.

PINELLAS COUNTY SHERIFF, JOINT-USE OUTDOOR FIRING RANGE

Account: Department of Justice, COPS Law Enforcement Technology

Legal name and address of requesting entity: Pinellas County Sheriff, 10750 Ulmerton Road, Largo, FL 33778

Description of request: $250,000 is included in the bill for the Pinellas County Sheriff to develop an outdoor firing range for joint use by local, state, and federal agencies, including military and federal law enforcement personnel. The demonstrated need for such a range is the result of a survey of these agencies, including DEA, U.S. Marshall, U.S. Secret Service, Immigration and Customs Enforcement, FBI, U.S. Coast Guard, Florida National Guard, U.S. Air Force, NCIS, and U.S. Marine Corps which found that these agencies lack sufficient outdoor facilities to practice and qualify for firearms proficiency. The Pinellas County Board of County Commissioners has provided $500,000 to complete pre-construction requirements including architectural services; civil engineering; environmental site assessment; structural engineering; mechanical, electrical and plumbing engineering; site surveying and geotechnical testing. $500,000 was included in FY 2009.

EARMARK DECLARATION

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. PLATTS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I have received as part of H.R. 2487, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

Adams County Department of Emergency Services: Adams County Department of Emergency Services is the Public Safety Answering Point for Adams County. The entity provides Public Safety Communications to all Emergency Response Agencies within Adams County. Adams County would use this funding to develop a new, standards based wireless communication system that will operate in the 700 MHz and 800 MHz bands. This is a good use of taxpayer funds because the system would be capable of supporting all public safety operations in the County and would allow for increased interoperability. I certify that neither my spouse nor I have a direct or foreseeable financial interest in this project. ($200,000 in the Community Oriented Policing Services Account)

Adams County Department of Emergency Services

230 Greenamyer Lane, Gettysburg, PA 17321

Carlisle Borough: Carlisle Borough is a municipal government located in Cumberland County. Carlisle Borough would use this funding to acquire between 25 and 50 surveillance cameras to be installed in public areas in downtown Carlisle. The cameras would be operated remotely at the Carlisle Police Department. Cameras would be of a mobile, wireless variety so that they can be relocated if necessary. This is a good use of taxpayer funds because Carlisle has experienced an increase in crime, specifically robberies, which pose a public safety threat. The project is expected to deter crime and assist in the apprehension of suspects. I certify that neither my spouse nor I have a direct or foreseeable financial interest in this project. ($200,000 in the Community Oriented Policing Services Account)

Carlisle Borough

53 West South Street, Carlisle, PA 17031

Cumberland County Government: Cumberland County would use this funding to relocate and replace communications infrastructure that is essential to the operation of the Department of Public Safety, the Office of Emergency Preparedness (including the Emergency Operations Center), and the 911 Public Safety Answering Point. This is a good use of taxpayer funds because the County is a critical regional player in emergency planning and response and this facility would assist Cumberland County in executing these responsibilities. I certify that neither my spouse nor I have a direct or foreseeable financial interest in this project. ($200,000 in the Community Oriented Policing Services Account)

Cumberland County Government

1 Courthouse Square, Room 200, Carlisle, PA 17013

Survivors, Inc: Survivors, Inc. is a 501(c)(3) not-for-profit organization which supports individuals who experience domestic violence or sexual assault. Survivors, Inc. provides a 24-hour crisis counseling hotline, shelter services, transitional housing, supportive counseling, support groups, and legal advocacy for individuals affected by domestic violence or sexual assault. Survivors, Inc. would use this funding to partially fund staff salaries, on-call stipends, and expenses for hotline provision. This is a good use of taxpayer funds because safety is one of the most essential needs to both individuals and society. When an individual is not safe in their own home they must have resources available to them to meet their needs. I certify that neither my spouse nor I have a direct or foreseeable financial interest in this project. ($25,000 in the Office of Justice Programs, Byrne Account)

Survivors, Inc.

233 West High Street, Gettysburg, PA 17325

York County Children's Advocacy Center: The York County Children's Advocacy Center is a 501(c)(3) not-for-profit organization that works to reduce the trauma of child abuse investigations, foster professional collaboration and cooperation, and promote education and advocacy regarding the prevention of child abuse within the community. The York County Children's Advocacy Center would use this funding to establish the Sexual Assault Forensic Examiners (SAFE) Team. SAFE Team members are registered nurses who have advanced education and clinical preparation in forensic examination of sexual assault victims. The SAFE Team would provide compassionate care to victims of child abuse by simultaneously gathering evidence of a crime. Funds would be used to purchase medical supplies and cover exam costs. This is a good use of taxpayer funds because York County ranks as the third highest county in our Commonwealth for substantiated cases of child abuse. Currently, less than 10% of the children involved in substantiated cases receive a forensic medical exam. I certify that neither my spouse nor I have a direct or foreseeable financial interest in this project. ($60,000 in the Office of Justice Programs, Juvenile Justice Account)

York County Children's Advocacy Center

28 South Queen Street, York, PA 17403

EARMARK DECLARATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. MILLER of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the Fiscal Year 2010 Commerce, Justice Science and Related Agencies Appropriations bill.

Requesting Member: Congressman Jeff Miller

Project Name: Escambia Emergency Radio Infrastructure Replacement

Account: COPS Law Enforcement Technology

Legal Name of Requesting Entity: Escambia County, FL

Address of Requesting Entity: 221 Palafox Place, Suite 420, Pensacola, FL 32502

Description of Request: $1,000,000—Escambia Emergency Radio Infrastructure Replacement, Escambia, Florida. I requested these funds for emergency radio infrastructure and equipment in Escambia County, Florida in Fiscal Year 2010. The entity to receive funding for this project is Escambia County, Florida located 221 Palafox Place, Suite 420, Pensacola, FL 32502. The funding would be used to upgrade the county's emergency radio equipment and infrastructure and bring Escambia County into compliance with the Federal Communications Commission's mandated changes to the emergency radio spectrum. I certify that this project does have a direct and foreseeable effect on the pecuniary interest of my spouse or me. Consistent with the Republican Leadership's policy on earmarks, I hereby certify that this request (1) is not directed to any entity or program named after a sitting Member of Congress; (2) is not intended for a "front" or "pass through" entity; and (3) meets or exceeds all statutory requirements for matching funds where applicable.

IN RECOGNITION OF THE 119TH ANNIVERSARY OF PARK EAST SYNAGOGUE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mrs. MALONEY. Madam Speaker, it is my pleasure to pay tribute to Park East Synagogue on its 119th anniversary, to honor the contributions of Rabbi Arthur Schneier and to recognize the achievements of the remarkable individuals the Synagogue is honoring at its annual gala.

Park East Synagogue was established in 1890 to serve the Jewish community of the Upper East Side of Manhattan. The Synagogue was originally called Congregation Zichron Ephraim in memory of the father of its first President, Jonas Weil. Today, Park East Synagogue is one of the nation's leading modern Orthodox congregations and an invaluable asset to New York City. Park East Synagogue plays a vital role in the cultural, civic and spiritual life of New York City, thanks to the dynamism of its congregants and its remarkable Rabbi, Arthur Schneier. Park East Synagogue provides the opportunity for spiritual growth, Jewish education and spiritual comfort for individuals, families, and the surrounding community, and fulfills its commitment to providing inspiring Jewish and general studies education to both children and adults.

The building in which the Synagogue is housed is an architectural jewel. Its Byzantine architectural style with dome-like cupolas, elaborately designed arched portico and large stained-glass windows make the building a beautiful historical landmark.

The Leon and Gina Fromer Park East Religious School and The Rabbi Arthur Schneier Park East Day School offer children an introduction to Jewish life in a nurturing and encouraging setting. The Day School, which Rabbi Schneier founded more than 25 years ago, offers children from early childhood through 8th grade a combined general academic and Jewish studies curriculum, with a decidedly global focus.

Rabbi Arthur Schneier is the heart and soul of Park East Synagogue, where he has been the Senior Rabbi since 1962. A Holocaust survivor, he is founder and president of the Appeal of Conscience Foundation, which is dedicated to promoting religious tolerance and freedom throughout the world. He has been honored repeatedly for his efforts, including the U.S. Presidential Citizens Medal. Under his leadership, Park East Synagogue has expanded significantly and gained both national and international recognition. Most recently he has revitalized a tradition of cantorial music by bringing renowned Cantor Yitzhak Meir Helfgot of Jerusalem to Park East Synagogue as its Chief Cantor.

At tonight's Gala, Park East Synagogue is honoring several extraordinary individuals who have displayed their exceptional commitment and dedication to the Park East community.

Harry Lis is being honored as Patron of Education. Born in Munich and the son of Holocaust survivors, Harry has demonstrated his commitment to the Jewish communities in Germany, Israel, and the United States. He is a great supporter of education, and a dedicated member of Park East Synagogue. He serves on the Board of Trustees and is a patron of Park East Day School.

Barbara and Barry Zimmerman are receiving the Community Leadership Award for their involvement in the daily life of the Synagogue. Both have leadership roles in the Synagogue's organizations. Barbara is a Vice-President and a Director of Park East Sisterhood, and has been named "Woman of Achievement" by the Sisterhood. Barry is currently the President of the Park East Men's Club and has previously

been honored as Men's Club Man of the Year and as a Chatan Torah of Park East.

Alla and Phil Weisberg are receiving the Parent Leadership Award for their dedication to Park East Day School. With two children at the Day School, the Weisbergs are an extremely involved family. Phil serves on the Day School Board of Education and Alla is a past co-President of the Parents Association. Their desire to make education accessible to all is visible through their generosity to the Day School Scholarship Fund.

Madam Speaker, I ask my distinguished colleagues to join me in recognizing the 119th anniversary of Park East Synagogue and in paying tribute to these outstanding individuals for their extraordinary commitment to the community of Park East Synagogue.

EARMARK DECLARATION

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. HARPER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010:

Requesting Member: Congressman Gregg Harper

Bill Number: H.R. 2847

Account: DOC, NOAA–ORF

Project Name: NOAA Northern Gulf Institute

Recipient and Address: Mississippi State University, P.O. Box 9627, Mississippi State, MS 39762

Amount: $700,000

Project Description: The NGI defines the Northern Gulf of Mexico region as the upland and watershed, coastal zone, and coastal ocean areas from the Sabine River, LA in the west to the Suwannee River, FL in the east. The Northern Gulf is a rich and interdependent natural environment of great complexity and is important to the region and the nation. The riverine-dominated Northern Gulf ecosystems are under pressure from increasing population and coastal development, impacts from severe storms and climate variability, inland watershed and coastal wetlands degradation, and many other factors. NGI has chosen an approach to Northern Gulf Region issues, problems and opportunities that is closely aligned with NOAA's strategic and research priorities and its user community.

Requesting Member: Congressman Gregg Harper

Bill Number: H.R. 2847

Account: DOJ, OJP–Byrne

Project Name: Regional Counterdrug Training Academy

Proposed Recipient and Address: Mississippi Military Department, FH–MS, P.O. Box 5027, Jackson, MS 39296

Amount: $300,000

Project Description: Using the existing facilities, staff and support structure of the regional Counterdrug Training Academy, the CJS Byrne Grant funding will result in training an additional 300 first responders in prevention of terrorism and response to terrorist incidents.

EARMARK DECLARATION

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the Commerce, Justice, Science and Related Agencies Appropriations Act of 2010.

I requested two projects in H.R. 2847. They include:

$800,000 for the Lake County Board of Commissioners located at 315 West Main St., P.O. Box 7800, Tavares, FL 32778. This funding will help Lake County to fund an 800 Mhz radio system and go towards equipment and technology for the Emergency Operations Center of Lake County.

$200,000 for the Marion County Board of County Commissioners located at 601 SE 25th Avenue, Ocala, FL 34471. This funding will help to fund the purchase of technology that captures fingerprints required for FBI criminal background checks, through the rest of the patrol vehicles. The equipment and software will collect demographic data and fingerprint scans and submit both to the appropriate background check authority, which will, in turn, provide instant feedback. The request is in accordance with priorities established by the Florida Department of Law Enforcement, who has indicated a desire for all law enforcement agencies across the state to have consistency in the equipment used for fingerprinting.

EARMARK DECLARATION

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. PETRI. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of H.R. 2847—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010:

Requesting Member: The Honorable THOMAS E. PETRI

Bill Number: H.R. 2847

Account: Commerce, Justice, Science, and Related Agencies—COPS Law Enforcement Technology

Legal Name of Requesting Entity: City of Waupun Police Department, Waupun, Wisconsin

Address of Requesting Entity: 16 E. Main St., Waupun, Wisconsin 53963

Description of Project: This $30,000 from the COPS Law Enforcement Technology account will be used by the Waupun Police Department to purchase new communication equipment to become P25 compliant and more effectively respond and communicate with other jurisdictions in the area.

EARMARK DECLARATION

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. BLUNT. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

Account: Department Of Justice—COPS Law Enforcement Technology

Legal Name of Requesting Entity: Greene County, MO

Address of Requesting Entity: 933 N. Robberson, Springfield, MO 65802

Description of Request: $350,000 is included for the Greene County Emergency Operation Center. These funds will be used for the necessary equipment for emergency operations in Greene County, MO. The equipment will include computers, software, televisions, video conference equipment and other specialized equipment for the facility. The use of taxpayer funds is justified because this equipment is necessary for interoperability of all agencies in the event of any type of disaster.

Account: Department of Justice—COPS Law Enforcement Technology

Legal Name of Requesting Entity: Jasper County Commission, Carthage, MO

Address of Requesting Entity: Jasper County Commission, 302 S. Main St., Carthage, MO 64836

Description of Request: $250,000 is included for the Cornerstone Regional Justice Information System. These funds will be used to procure law enforcement information sharing and records management software, laptop computers, high speed data cards, multimodal biometric identification equipment, and network connectivity hardware for multiple counties in Southwest Missouri. The use of taxpayer funds is justified because this equipment will be used to enhance cooperative multi-jurisdictional law enforcement efforts by improving communications and criminal information sharing among local and state agencies in Southwest Missouri.

Account: Department of Justice—COPS Law Enforcement Technology

Legal Name of Requesting Entity: Taney County Commission, Forsyth, MO

Address of Requesting Entity: Taney County Commission, 127 Main Street, Forsyth, MO 65653

Description of Request: $400,000 is included for the White River Area Emergency Project. This funding will be used to create a data sharing network and purchase and implement the latest mobile data computers, network hardware, and criminal justice information sharing software for all law enforcement agencies in Taney County. This funding will enable Taney County, MO to purchase and implement a county wide, multi-jurisdiction public safety mobile data network as well as a criminal justice information sharing system. The use of taxpayer funds is justified because this project will greatly enhance overall investigations and increase officer safety by enabling instant access to critical time sensitive information on the street, when they need it most.

EARMARK DECLARATION

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. HASTINGS of Washington. Madam Speaker, to provide open disclosure, I am submitting the following information regarding projects that I support for inclusion in H.R. 2487, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2010.

Amount: $500,000.

Account: U.S. Department of Justice—Office of Community Oriented Policing Services.

Entity receiving funds: City of Yakima located at 129 North 2nd Street, Yakima, WA 98901.

Description: These funds will be used to continue development of a system that allows all the public safety agencies in Yakima County to integrate their data communications and records systems. This system will provide comprehensive data to all local law enforcement officials, as well as federal and state agencies.

Amount: $400,000.

Account: U.S. Department of Justice, Office of Justice Programs.

Entity receiving funds: Yakima County located at 128 North 2nd Street, Yakima, WA 98901.

Description: Funds will be used to develop and implement a county-wide comprehensive response to the serious and worsening youth gang problem in the region, including prevention, intervention, and suppression programs.

COMMEMORATING 150 YEARS OF OPERATION OF THE MISSOURI BOTANICAL GARDEN & CONGRATULATING THE WORK OF ITS CURRENT PRESIDENT, DR. PETER H. RAVEN

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. AKIN. Madam Speaker, I rise today to commemorate 150 years of operation by the Missouri Botanical Garden and to congratulate the work of its current president, Dr. Peter H. Raven.

The garden was the conception of a successful businessman, Henry Shaw, who moved to Saint Louis in the early nineteenth century to begin his career in the hardware business. His business grew along with the city as he outfitted pioneers, who were heading west into the newly purchased territories. As his wealth grew, Shaw turned his attention to his true passion, horticulture. He established and maintained a personal garden on his estate and on June 15th, 1859, he opened it to the public. Upon his death, Shaw's will established the Missouri Botanical Garden as a charitable trust on the grounds of his estate in south Saint Louis, where it remains to this day.

In continuing the vision and passion of its founder, the Missouri Botanical Garden has grown into one of the premier research institutions in the world. Throughout its history, the garden and its staff have contributed significantly to the scientific community, helping to establish a sound base of knowledge in the field of botany.

As the oldest continually operating botanical garden in the United States, Missouri Botanical Garden has provided Saint Louisans and visitors from across the globe with the best in horticultural displays. Recently, this homegrown institution received its re-accreditation from the American Association of Museums, the field's primary vehicle for quality assurance. The Missouri Botanical Garden was recognized for its commitment to excellence in all that it does: governance, collections stewardship, public programs, financial stability, high professional standards, and providing the best possible services to the public.

Today, 150 years after opening, the Missouri Botanical Garden is a National Historic Landmark and a center for science, conservation, education and horticultural display.

I ask that my colleagues join me today in congratulating the Missouri Botanical Garden for its achievements and thanking Dr. Raven for his stewardship of this national treasure.

EARMARK DECLARATION

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. CULBERSON. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the FY2010 Commerce, Justice, and Science Appropriations bill:

Requesting Member: Congressman JOHN CULBERSON.

Bill Number: H.R. 2847

Account: Department of Justice, Office of Justice Programs, Byrne Grant account.

Legal Name and Address of Requesting Entity: Texas Border Sheriff's Coalition, 4141 Pinnacle Suite 213, El Paso, Texas 79902.

Description of Request: Provide an earmark of $4,850,000 to the Texas Border Sheriff's Coalition. It is my understanding that the funding would be used to pay for overtime, hire additional deputies, and purchase equipment for the Sheriffs along the Texas-Mexico border to secure the border against drug and human smugglers. Texas Border Sheriff's Coalition was organized on May 4, 2005 and is represented by the Chief Law Enforcement Officer of each respective county along the Texas-Mexico border. Texas Sheriffs are empowered by the Texas Constitution to protect the lives, property, and the rights of the people, maintain order and security in the United States along the Texas border with the Republic of Mexico to enforce the law impartially, and provide police service in partnership with other law enforcement agencies and community partners. Sheriffs are totally accountable to the people of their county.

The Texas border county sheriffs have received funding from Congress in the last 3 appropriations cycles to defend our borders. They are using this funding to put more deputies on the streets, purchase equipment, and reduce illegal crossings.

Requesting Member: Congressman JOHN CULBERSON.

Bill Number: H.R. 2847

Account: Department of Justice, Office of Justice Programs, COPS account.

Legal Name and Address of Requesting Entity: City of Houston, Mayor's Office of Public Safety & Homeland Security, 900 Bagby, 2nd Floor, Houston, Texas 77002.

Description of Request: Provide an earmark of $1,350,000 to the City of Houston to acquire interoperable communications equipment so that the city's first responders can communicate on a 700MHz trunked public safety radio system that will provide full and continuous interoperability with the 800MHz regional radio system. Communications in the Houston area are hampered by incompatible and aging equipment, disparate radio systems, and limited funding. First responders in Houston are responsible for protecting the highest density of critical infrastructure in Texas, including the Port of Houston, the petrochemical industry, the largest medical center in the world, and extensive commercial assets.

Requesting Member: Congressman JOHN CULBERSON.

Bill Number: H.R. 2847

Account: Department of Justice, Office of Justice Programs, Byrne Grant account.

Legal Name and Address of Requesting Entity: City of Houston, Mayor's Office of Public Safety & Homeland Security, 900 Bagby, 2nd Floor, Houston, Texas 77002.

Description of Request: Provide an earmark of $350,000 for the Targeted Narcotics Enforcement Team (TNET) in Houston. TNET is an enforcement group whose mission is to carry out investigations addressing the broad spectrum of drug trafficking in and through the Houston region. Their goal is to identify, target, and disrupt or dismantle major drug trafficking organizations operating on a regional scale. TNET also works through its coalition of investigators, attorneys, inspectors, and citizen groups to target the dealers and end users that make the drug trafficking organizations profitable. With drug violence spilling over into the streets of Houston, this funding will help provide resources needed for TNET to continue their mission.

Requesting Member: Congressman JOHN CULBERSON.

Bill Number: H.R. 2847 Account: Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research and Facilities account.

Legal Name and Address of Requesting Entity: The JASON Project, 44983 Knoll Square, Suite 150, Ashburn, VA 20147.

Description of Request: Provide an earmark for $4,000,000 for the development of standards-based science curriculum for middle school students and professional development programs to increase teacher effectiveness. America's economic prosperity rests on scientific and technological prosperity. Every major organization representing education, business and government has documented the critical situation in U.S. science, technology, engineering and mathematics (STEM) education and issued a call for aggressive action. This initiative by The JASON Project will be used to develop a standards-based science curriculum for middle school students, and professional development programs to increase teacher effectiveness. These materials will help prepare U.S. students to enter a competitive global workplace in the STEM fields, enabling our nation to remain at the forefront in research, development and technology.

EARMARK DECLARATION

HON. CHRISTOPHER J. LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. LEE of New York. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding an earmark I received as part of the Commerce and Justice, and Science Appropriations bill.

Requesting Member: Congressman CHRISTOPHER LEE (NY–26)

Bill Number: H.R. 2847

Account: Office of Justice Programs—Byrne Discretionary Grants

Legal Name of Requesting Entity: Genesee Community College

Address of Requesting Entity: One College Road, Batavia, NY 14020

Description of Request: Provide an earmark of $537,000 for the Integrated Campus Security Initiative that will install digital surveillance cameras; a talk-a-phone emergency and paging system; fire and audio warning public address systems; and doors with keyless entry locks on all Genesee Community College campuses in Batavia, Albion, Arcade, Dansville, Medina, Lakeville, and Warsaw, NY.

Of the total project amount, approximately $66,000 (or 11%) is for digital surveillance and security cameras; approximately $75,000 (or 12%) is for emergency phones and paging system; approximately $185,000 (or 30%) is for fire and audio systems; and approximately $291,000 (or 47%) is for doors with keyless entry locks. This funding will complete the project. To date, Genesee Community College has established the network, the bandwidth necessary to achieve the project; formed necessary relationships with area law enforcement, including MOU's that define all roles; and set aside $80,000 (or 13%) for the project.

The Integrated Campus Security Initiative will provide additional safety for all members of the College community and the right environment that enhances student learning and institution effectiveness. The College also trains local law enforcement officers for four counties and this project will present an additional training tool for these officers.

EARMARK DECLARATION

HON. DEAN HELLER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. HELLER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847 the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010:

Requesting Member: Congressman DEAN HELLER

Bill Number: H.R. 2847

Account: DOJ—COPS Tech

Legal Name of Requesting Entity: Washoe County Sheriff's Department

Address of Requesting Entity: 911 Parr Boulevard, Reno NV 89512

Description of Request: $500,000. Washoe County is the second most populous county in Nevada, occupying 6608 square miles. Washoe County Sheriff's Office Patrol Divisions will use this Federal funding to purchase In-Car Video Systems which have proven to be useful in the collection of evidence, increased perception of safety by Patrol Officers, and improved confidence in the law enforcement community by the citizenry. These systems have also proven useful during internal affairs investigations, reducing agency liability, evaluations of policies and procedures, as well as training. The use of a wireless In-Car Video System would satisfy all of these concerns for the Washoe County Sheriff's Office.

Requesting Member: Congressman DEAN HELLER

Bill Number: H.R. 2847

Account: DOJ—OJP-Juvenile Justice

Legal Name of Requesting Entity: National Council of Juvenile and Family Court Judges

Address of Requesting Entity: 1041 North Virginia Street, Third Floor, Reno, Nevada 89503

Description of Request: $600,000. The National Council of Juvenile and Family Court Judges (NCJFCJ), the nation's premier judicial education organization, has been providing critical education to members of the judiciary for decades. Located on the University of Nevada, Reno campus, its long and outstanding reputation for providing cutting-edge training for judges and other system professionals in areas related to court practice is nationally recognized. The National Council uses these Federal dollars to provide training to judges nationwide on child abuse and neglect, juvenile delinquency, divorce, custody and visitation, substance abuse, and mental health and educational needs of children, among other topics.

EARMARK DECLARATION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. ROGERS of Michigan. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, FY2010 Commerce, Justice, Science, and Related Agencies Appropriations Act.

Requesting Member: Congressman Mike Rogers (MI)

Bill Number: H.R. 2847

Account: COPS Technology

Legal Name of Requesting Entity: Oakland County Sheriff's Office

Address of Requesting Entity: 1201 N. Telegraph Road, Pontiac, MI 48341

Description of Request: Provide funding of $1,025,000 for law enforcement technology to assist in fingerprinting and criminal identification. This funding would be used to complete a three part biometric identification enhancement project. $450,000 would be used for software, $125,000 would be used to upgrade patrol cars, and $450,000 would be used for portable devices. The Oakland County Sheriff's Office is the lead agency for this request on behalf of "CLEMIS," a consortium of 105 law enforcement agencies located across nine counties in Southeastern Michigan. CLEMIS contributes wireless network technology to the mobile data computers in patrol vehicles.

IN SUPPORT OF THE TOWN OF WILLIAMS, ARIZONA

HON. ANN KIRKPATRICK

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mrs. KIRKPATRICK of Arizona. Madam Speaker, I rise today in recognition of the great town of Williams, Arizona. Widely known as the Gateway to the Grand Canyon, Williams celebrated the 128th anniversary of its founding on Sunday, June 14th.

Named for William "Old Bill" Williams, the town has grown from a rough-and-rowdy frontier outpost to a thriving 21st-century community, already listed on the National Register of Historic Places and striving to make even more history.

In the words of Williams Main Street Association Manager Jean-Ellen Kegler, "I get to witness the daily, continuous 'founding' of our town. Every day I observe so many people choosing to put their small concerns aside in favor of a better quality of life for the greater community."

I congratulate Williams, Arizona on its 128 years of prosperity, and on behalf of this Congress wish the town 128 more.

EARMARK DECLARATION

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I submit the following.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2847

Account: Department of Justice, Commerce, Science, Justice and Related Agencies

Name of Requesting Entity: City of Homestead

Address of Requesting Entity: 790 N. Homestead, FL, 33030

Description of Request: I have secured $500,000 for Emergency Wireless Law Enforcement Technology. This funding will would be used to install a city-wide Wi-Fi network that would enhance the City's public safety and emergency services communications. The City proposes to install 24 to 40 access points per mile throughout the 14 square miles of the City, which would serve as a supplement to Homestead's existing wired network, and would greatly enhance the City's ability to provide more efficient and cost effective services. This project will result in increased efficiency in public service and reduce response times to emergencies by providing easy access and communication to multiple agencies and response teams simultaneously. The use of wireless technology will also minimize exposure to dangerous weather during storm events and minimize the likelihood of loss of service during and after storm events. In addition to investment in public safety preparedness, deployment of city-wide Wi-Fi technology would spur economic development and

e-commerce by aiding businesses and citizens by providing low cost internet access and services, which would also serve as a key component in bridging the digital divide for those citizens and businesses which lack internet access. The City anticipates the total cost of this project to be approximately $2 million. However the project could be implemented in phases, with the first phase costing approximately $500,000 and would create approximately 10 jobs in the local economy.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2847

Account: Department of Justice, Commerce, Science, Justice and Related Agencies

Legal Name of Requesting Entity: The City of Doral

Address of Requesting Entity: 8300 NW 53rd St, Suite 100, Doral, FL 33166

Description of Request: I have secured $750,000 for the City of Doral Public Safety & Surveillance System. This federal funding would be used for the creation of a city-wide closed circuit video system, to be managed and monitored by the City's Police Department. The City of Doral Police Department serves the public safety and traffic needs of the rapidly-growing population and vibrant community. With the City's current population nearing 40,000 residents (and quickly growing), City of Doral public officials created a police department in 2008 to deal with the traffic influx and public safety concerns that come with any burgeoning city. It is anticipated that the City's current 71% growth rate will increase the population to 65,000 residents by the year 2012. The goal of this system is to provide added protection against commercial theft and increased security for all of Doral's residents and visitors. This project is estimated to create six new jobs in the City of Doral.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2847

Account: Department of Justice, Commerce, Science, Justice and Related Agencies

Legal Name of Requesting Entity: City of Hialeah

Address of Requesting Entity: 501 Palm Avenue, Hialeah, FL 33010

Description of Request: I have secured $250,000 for the Hialeah police Equipment Upgrades. This federal funding would be used for the City of Hialeah police department's current radio system which currently does not allow for radio interoperability among other law enforcement agencies. This is especially important during times of statewide response to natural disasters, domestic security incidents or multi-agency jurisdictional public safety efforts. The XPS radio system would bridge the current gap and achieve interoperability with the State of Florida by replacing and upgrading fixed end, portable and mobile radio communication equipment.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2847

Account: Department of Justice, Commerce, Science, Justice and Related Agencies

Legal Name of Requesting Entity: Collier County, FL

Address of Requesting Entity: 3301 E. Tamiami Trail, Naples, FL 34112

Description of Request: I have secured $800,000 for the Collier County Emergency Services Technology. This Federal Funding would be used to support the acquisition of public safety technology equipment for the Collier County Emergency Services Center (ESC), which is being constructed on a 20-acre site on Lely Cultural Parkway, just south of Rattlesnake Hammock Road. The ESC will be approximately 130,000 square feet, four stories and includes a communications tower. Occupants will include the Emergency Management staff, Emergency Operations Center (EOC), Information Technology, Sheriff's Substation and 911 Center, and Clerk of Courts. Technology needs include GIS and improved interoperable communications.

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2847

Account: Department of Justice, Commerce, Science, Justice and Related Agencies

Legal Name of Requesting Entity: Miami-Dade County, FL

Address of Requesting Entity: 111 NW 1st St., Suite 1032, Miami, FL 33128

Description of Request: I have secured $150,000 for the Miami-Dade County Mortgage Fraud Task Force. This Federal Funding would be used for the creation of a mortgage fraud task force national model to train law enforcement individuals in those identified communities which represent the ten (10) highest concentrated areas affected by mortgage fraud. The Miami-Dade County MFTF will serve as a national model based on its proven performance. The national model will be coordinated by Miami-Dade County and administered by the United States Department of Justice The anticipated benefits include a more effective process of dealing with and prosecuting mortgage fraud in Miami-Dade County and nationwide, and eventually, a decrease in the occurrence of mortgage fraud. This project has the support of the Miami-Dade County Board of County Commissioners, the Mayor of Miami-Dade County, and the Director of the County's Police Department (MDPD).

Requesting Member: Representative MARIO DIAZ-BALART (FL–25)

Bill Number: H.R. 2847

Account: Department of Justice, Commerce, Science, Justice and Related Agencies

Legal Name of Requesting Entity: The ARISE Foundation

Address of Requesting Entity: 824 US Hwy 1, Suite 240, North Palm Beach, FL, 33408-3838

Description of Request: I have secured $550,000 for the ARISE Life-Management Skills Intervention/Re-entry Program for High-Risk Youth. The funding will be used by The ARISE Foundation to provide juvenile justice facilities with specialized staff training and unique curricula to teach life lessons and develop thinking skills for incarcerated youth needed to break the cycle of violence and crime in order to reduce recidivism rates. The ARISE Intervention-Re-entry program provides Florida Juvenile Justice Staff on a statewide basis with in-depth training and specialized ARISE Life Management Skills lessons to conduct guided group discussions with incarcerated high-risk youth. Topics include anger and conflict management, how to get a job and keep it, why violence, substance abuse and gangs will wreck their lives and other vital subjects. The ARISE program has been developed so it is easily absorbed and understood by youth reading at very low levels often suffering from trauma and emotional problems. As a result of the comprehensive training, correctional staff who have never had to "stand and deliver" in front of a group often become more interested and motivated to take an active role in guiding these troubled youth away from a life of crime. The staff then conducts interactive ARISE groups with the youth in their charge. When the youth learn positive life and social skills, this information enables them to make better life choices, reduces the rate of recidivism, and decreases the rate of juvenile crime.

EARMARK DECLARATION

HON. ANH "JOSEPH" CAO

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. CAO. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2487—the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010:

As requested by me, Rep. Anh "Joseph" Cao, H.R. 2487—the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010, provides for the National Marine Fisheries Service, Silver Spring, MD in support of the Shrimp Industry Fishing Effort Research Continuation project. This is in the NOAA–ORF account in the amount of $750,000. This will benefit the Southern Shrimp Alliance. P.O. Box 1577, Tarpon Springs, FL 34688 for funding for data collection to determine shrimp fishery compliance with federal regulations to reduce bycatch and rebuild red snapper. Specifically, the National Marine Fisheries Service (NMFS) has promulgated regulations to end overfishing and rebuild the Gulf red snapper fishery that require a 74% reduction in shrimp fishing effort to reduce bycatch in red snapper habitat areas. Failure to achieve this effort reduction triggers the closure of the shrimp fishery in these areas. Consequently, the regulations necessitate implementation of a program to closely monitor shrimp fishing effort which is the program funded by this ongoing appropriation. The principal tools used to measure shrimp fishing effort are Electronic Logbooks (ELBs). This funding would support the development, manufacture, and deployment of ELB technology in the US shrimp fleet and the collection and analysis of data generated, performed by a NMFS contractor (LGL Associates). Continued annual funding to further equip the entire active shrimp fleet (about 1200 vessels) is necessary to meet these regulatory requirements requiring 5–6 more years at $1,500,000 per year. The program is able to operate through 2009 with prior year funding that will run out in FY2010, causing termination of the program well before it is fully implemented. This is a good use of taxpayer funding because this research is not only critical to achieving Federal statutory and regulatory fishery conservation requirements, it is crucial to the future survival of the shrimp fishery in all Louisiana coastal parishes and throughout the Gulf. Additionally, this will benefit Wild American Shrimp, Inc. 10 Wharfside Street, Charleston, SC 29401 for a marketing program for domestic warm water shrimp.

Specifically, this marketing program by Wild American Shrimp, Inc. (WASI), is dedicated to securing a sustainable future for the U.S. Gulf and South Atlantic shrimp harvesting and processing industries by developing new products and implementing a quality assurance certification program that assures consumers that they are purchasing a premium product harvested from the wild in American waters. The funding will be used towards a national research and development program for new products, improved quality assurance and certification, and marketing of domestic wild shrimp from the states of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana and Texas. This is a good use of taxpayer funding because the domestic warm water shrimp industry remains an important part of coastal communities in these states (especially in Southeastern Louisiana) and the resource is healthy and the fishery is sustainable.

As requested by me, Rep. Anh ''Joseph'' Cao, H.R. 2487—the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010, provides for Boys Town, Louisiana, New Orleans, LA in support of Expansion of Boys Town Louisiana Projects project. This is in the OJP–JJ account in the amount of $147,000. This project will benefit Boys Town of Louisiana 700 Frenchmen Street, New Orleans, LA 70116 for programs for at-risk youth. Specifically, these funds will be used to continue and expand an integration of the Boys Town Treatment Family Home program and its In-Home Family Services program to serve more at-risk girls and boys (in the juvenile justice system) and their families. It is expected that through these services, youth recidivism of criminal behavior will be greatly reduced as will the need for further out-of-home-placement, including that of a correctional or prison facility. This is a good use of taxpayer funds because these youth will be find alternative outlets to crime and will be more focused on education and other productive activities.

As requested by me, Rep. Anh ''Joseph'' Cao, H.R. 2487—the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010, provides for the New Orleans Crime Coalition/New Orleans Business in New Orleans, LA in support of the New Orleans Crime Coalition. This is in the OJP–JJ account in the amount of $1,500,000. This project will benefit the New Orleans Crime Coalition New Orleans Business Council 1615 Poydras Street, Suite 986 for their comprehensive crime efforts. Specifically, the New Orleans area was devastated by Hurricane Katrina in 2005 and severely damaged again in 2008 by Hurricane Gustav. Crime—especially the murder rate—in the city continues to rise, and travelers to and residents of New Orleans are beginning to lose faith in the public safety of the city. For a city that depends on tourism and business travel, this would be devastating to the economy. The requested funding will provide much-needed crime fighting tools, resources, and infrastructure to help the community take back the streets in the struggle for post-Katrina recovery in New Orleans. Specifically, this funding will comprise elements of any or all of the following: additional staff for the New Orleans Police Department; D.A./Prosecutorial support; Juvenile Justice services, including training and day center facilities; additional Drug Court programs; and, additional staff for the Orleans Parish Public Defenders office. This is a valuable use of taxpayer funding because New Orleans is historically, economically, and culturally valuable to the United States, and assuring public safety is critical to maintaining the health of the city.

EARMARK DISCLOSURE

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. BISHOP of Utah. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

Requesting Member: ROB BISHOP

Bill number: H.R. 2847

Account: Office of Juvenile Justice and Delinquency Prevention

Legal name and address of requesting entity: Ogden City School District, located at 1950 Monroe Blvd., Ogden, Utah 84401.

Description of project: $375,000 to the Ogden City School District for the Ogden Juvenile Delinquency Prevention Initiative, to collaborate with the district juvenile court and Morgan-Weber Mental Health Department to create a comprehensive delinquency, gang, and violence prevention program.

Requesting Member: ROB BISHOP

Bill number: H.R. 2847

Account: Edward Byrne Discretionary Grants

Legal name and address of requesting entity: Clearfield City, Utah, located at 55 South State Street, Clearfield, Utah 84015.

Description of project: $425,000 to Clearfield City for the Digital Technology for Drug Enforcement Initiative, to purchase digital law enforcement equipment to help combat drug and gang-related problems in Clearfield.

Requesting Member: ROB BISHOP

Bill number: H.R. 2847

Account: COPS Meth account

Legal name and address of requesting entity: American Detoxification Foundation, located at 3090 S. Main Street, Salt Lake City, UT 84118.

Description of project: $200,000 to the Utah Meth Cops Program, to treat law enforcement officers that are experiencing detrimental health effects from their exposure, during the course of duty, to chemicals involved with the production of methamphetamine.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 2847, ''Making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.''

Requesting Member: Congressman JOHN DUNCAN.

Account: Department of Justice, Office of Justice Programs—Juvenile Justice

Project Amount: $250,000.

Legal Name of Requesting Entity: Childhelp of East Tennessee, 2505 Kingston Pike, Knoxville, TN 37919.

Description of Request: This funding will be used to assist Childhelp in expanding its important services to more children in Knox County and the surrounding region who have suffered abuse. Specifically, the Children's Center of East Tennessee will expand its forensic interview capacity and related services to more Knox County children who have, in the past, been turned away, as well as its community based forensic interview and medical examination services.

Requesting Member: Congressman JOHN DUNCAN.

Account: Department of Justice, COPS Law Enforcement Technology.

Project Amount: $750,000.

Legal Name of Requesting Entity: City of Maryville, 404 W. Broadway Avenue, Maryville, TN 37801.

Description of Request: This funding will be used to allow public safety and public works departments to co-function on the same network and would also allow these departments to communicate directly in an emergency with one another without interference from other users.

INTRODUCTION OF THE IMPROVING ACCESS TO CLINICAL TRIALS ACT OF 2009

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. MARKEY of Massachusetts. Madam Speaker, I rise today to introduce the Improving Access to Clinical Trials Act. I would like to thank my colleague and fellow co-chair of the bipartisan Cystic Fibrosis Caucus, Mr. CLIFF STEARNS of Florida, for working with me on this important legislation.

Approximately 30,000 children and adults in the United States have cystic fibrosis, a life-threatening genetic lung disease for which there is no cure. In my home state of Massachusetts, nearly 800 families are affected by this horrible disease.

In the three years since we founded the bipartisan Congressional Cystic Fibrosis Caucus, I am proud to say that we have steadily increased the Caucus' membership and currently have 138 members, many of whom are joining us today as original cosponsors of this important bill.

Cystic fibrosis affects parents, who awaken in the middle of the night so they can pound on their child's chest to clear the abnormally thick, sticky mucus that makes breathing difficult. It affects their children, who cough and wheeze and are at constant risk for life-threatening lung infections. And it affects their loved ones, who want the child to have a healthy life but have to worry about the unpleasant alternative of a shortened life expectancy marked by frequent visits to the hospital.

But there is hope for these families. We are in a time of tremendous opportunity and hope in medical research. In the 1950s, children diagnosed with cystic fibrosis usually did not live long enough to enter kindergarten. Back then, there were no drugs for people with cystic fibrosis. Today, through advances in medical research, four respiratory drugs have been brought to market and the median age of survival is about 37 years.

These advances would not have been made without the important clinical research conducted by dedicated doctors and scientists from all around the world. In fact, there are more than 30 cystic fibrosis therapies currently in some stage of clinical trial research. Unfortunately, because cystic fibrosis affects a small population, many of these trials are having difficulties recruiting patients.

The Improving Access to Clinical Trials Act is designed to increase access to clinical trials for patients of rare diseases, like cystic fibrosis, by modifying Supplemental Security Income (SSI) eligibility rules. In accordance with established ethical standards, many clinical trials offer compensation for patient participation. Current eligibility rules for SSI count such compensation as income, making some individuals suffering from rare diseases ineligible for SSI benefits because compensation for participation in the trial would put their income over the SSI eligibility threshold. This forces patients to choose between participating in important clinical trials and keeping their SSI benefits—a cruel choice no one should ever have to make.

Our bill will encourage patients suffering from rare diseases to participate in promising clinical research that may lead to cures, better treatments, and ultimately, saved lives, without having to worry that they could lose the SSI benefits they depend on.

You know, they say that the most powerful four-letter word in the English language is HOPE.

Hope . . . that we can raise awareness of the families struggling with cystic fibrosis and other rare diseases.

Hope . . . that, through research, we will find better treatments and ultimately a cure.

Hope . . . that our children will have to turn to the history books to learn what cystic fibrosis was.

This bill will give hope to more patients who suffer from CF that they can access innovative therapies that could some day cure them of this dreadful disease.

I urge my colleagues to cosponsor and support this legislation.

EARMARK DECLARATION

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. GINGREY of Georgia. Madam Speaker, pursuant to the Republican Leadership standards on earmarks as well as in accordance with Clause 9 of Rule XXI, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Act, 2010.

Requesting Member: Congressman PHIL GINGREY

Bill Number: H.R. 2847

Account: Department of Justice; Community Oriented Policing Services (COPS) Law Enforcement Technology

Legal Name of Requesting Entity: Cobb County (GA) Government

Address of Requesting Entity: 100 Cherokee St., Marietta, GA 30090

Description of Request: The project furthers the National Emergency Communications Plan Strategic goal of 2010, 2011, and 2013. Protecting the health, safety, and welfare of its citizens is a top priority for the local government. Cobb County is a key player in developing a regional interoperable communications system that covers 11 counties from Metro Atlanta to Alabama. The linking of like radio systems will expand coverage, coordinate responses, improve communication, and decrease response time in the event of natural or man-made disasters, including terrorism.

Cobb County continues to plan for, create, and promote communications interoperability. This fact is evident with the acquisition and installation of Homeland Security funded interoperability switch for Project 25 public safety radio systems' participation and connectivity to the Urban Area Security Initiative (UASI) interoperable communication system, working groups and governing body; intergovernmental cooperation with the City of Douglasville and the West Area Regional Radio System (WARRS); and participation and leadership in All Hazards Area 7 Communications Subcommittee for the State of Georgia.

This $1,000,000 added to H.R. 2847 will be used in its entirety for the purchase of the necessary software, hardware, and microwave equipment to connect Project 25 radio systems in Forsyth and Cobb County to establish regional connectivity. These funds will be used to establish microwave connectivity, link systems together, and upgrade the radio system's operating platform so that all systems are functioning at the same level.

Specifically, the Fiscal Year 2010 will consist of the following budget items: Operating System Equipment and Software ($400,000), Microwave Equipment ($400,000), and Engineering and Installation Services ($200,000).

Requesting Member: Congressman PHIL GINGREY

Bill Number: H.R. 2847

Account: Department of Justice; Office of Justice Programs (OJP) Byrne Discretionary Grants

Legal Name of Requesting Entity: University of West Georgia

Address of Requesting Entity: 1601 Maple St., Carrollton, GA 30118

Description of request: Major incidents, whether they result from natural phenomena or are a result of criminal behavior, have devastating effects on learning and academic achievement. Federal studies show that emergency plans in many school districts remain unpracticed and are outside National Incident Management System (NIMS) guidelines. Furthermore, less than one third of school districts in the nation include any procedure for continuation of instruction in the event of extended school closure. This initiative would address these shortcomings and prescribe practiced solutions.

The $250,000 included in H.R. 2847 will allow the University of West Georgia to work with K–12 schools in surrounding high crime neighborhoods to prevent and respond to incidents of crime in these schools. In particular, the University will work with schools such as Bremen High School, Paulding County Middle School, Chattooga High School, and Polk County High School.

The establishment of an emergency response capability will help K–12 schools and other colleges and universities in many ways. It will aid state agency, school district, and local school personnel develop emergency preparedness plans that will help insure the safety of an otherwise defenseless population. This funding will be used to (1) provide technical assistance to support schools and districts in developing comprehensive plans reflective of the all-hazards approach; (2) provide evaluation services to help schools and districts improve already developed plans and to determine the feasibility of partnerships (with first responders) and procedures (evacuation of special needs students) necessary for effective implementation; and (3) assist schools and districts in developing capacity for maintaining continuity of instruction in the event of prolonged school closure.

The Fiscal Year 2010 funds will consist of the following budget items: Project Manager ($65,000), Equipment ($46,000), Supplies ($35,000), Training ($30,000), Evaluation ($44,000), and Administration and Accounting ($30,000).

EARMARK DECLARATION

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, Commerce, Justice, Science, and Related Agencies Act, 2010:

Requesting Member: Congressman TIM MURPHY

Bill Number: H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010

Account: Department of Justice; Juvenile Justice

Legal Name of Requesting Entity: Kids Voice

Address of Requesting Entity: 437 Grant Street, Suite 700, Pittsburgh, PA 15219

Amount: $500,000

Description of Request: The funding would be used to increase their impact in the community and to support programs that are offered to abused and neglected children in Allegheny County.

In addition, KidsVoice seeks to increase its impact by expanding services that will help clients become productive adults, despite the obstacles they face. The funding will expand KidsVoice efforts in assisting foster youth to pursue post-secondary education, job training and employment. I certify that this project does not have a direct and foreseeable effect on the pecuniary interests of me or my spouse.

I took extreme care to ensure that these projects are well vetted and strongly supported within the community. The KidsVoice appropriation is of particular interest to my district and importance to my constituents.

HONORING THE GENEROSITY OF CLAYTON MACKAY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. ISRAEL. Madam Speaker, I rise today to pay tribute to the generosity displayed by one of my constituents, first-grader Clayton MacKay. His act of donating prize money to an Ecuadoran shelter was reported on Friday, June 12, 2009 in my hometown newspaper, Newsday. I am proud of the example he set and would ask that this article be submitted into the CONGRESSIONAL RECORD.

[From Newsday, June 12, 2009]

FIRST GRADER MAKING A DIFFERENCE

Frank J. Carasiti Elementary School first grader Clayton MacKay wanted to help people, so he decided to make a difference in the lives of others by donating $20 in prize money he won at a recent Easter celebration to Blanca House, a shelter located in Ecuador. The Frank J. Carasiti Elementary School administration and staff recognized Clayton for his thoughtful donation during a monthly school assembly.

Teacher Cecilia Doolittle explained that she has been talking to the students about the school's participation in a program to ship children's books and medical supplies to this philanthropic organization. ''He asked me if he should donate some of his money to Blanca House, but after our conversation he decided to donate all of his prize money to this organization,'' Ms. Doolittle commented. ''We are really proud of Clayton.''

MOURNING PASSING OF JUDGE SANDRA OTAKA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. HONDA. Madam Speaker, I rise today to mourn the passing of Judge Sandra Otaka, who died of natural causes at the age of 57 on the 6th of June, 2009. As the first Asian-American to be elected judge in Cook County, and the second in Illinois, she was a strong advocate for the Asian American and Pacific Islander community.

Born in California as a sansei, or third-generation Japanese American, she was a politically active young woman. She campaigned against the Vietnam War before enrolling as an undergraduate at UC Berkeley at the age of 28. During her time at Berkeley, Otaka worked to overturn the conviction of Fred Korematsu, a Japanese-American who was arrested in 1942 for not reporting to his designated assembly center for internment. Her fight for justice and equal opportunity continued during law school, where she protested the university's plan to scale back its affirmative action program. After graduating, Otaka moved to Chicago to work for a commercial law firm and later as counsel for the U.S. Environmental Protection Agency.

After a racist comment by a Cook County Circuit Court Judge, Otaka, as co-chair of the judiciary committee of the Asian American Bar Association, led the effort to have him removed. She succeeded, with the judge failing to win the sixty percent of the vote required for retention.

In 2000, Sandra Otaka was appointed to the Cook County Circuit Court, and in 2002, she was reelected—the first Asian American judge in Cook County to do so.

Judge Otaka is remembered for her continual fight for the Asian American community and as an advocate for diversity on the bench. She is survived by her sister, Susan Smith, and her nephew, Jeffery, who she raised as her own after her brother's death.

In closing, Madam Speaker, I ask my colleagues to join me in mourning the passing of Sandra Otaka. She is truly deserving of our respect and admiration.

EARMARK DECLARATION

HON. CATHY McMORRIS RODGERS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mrs. McMORRIS RODGERS. Madam Speaker, pursuant to the Republican Leadership Standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2487, the Commerce, Justice, Science and Related Agencies Appropriations Act of 2010.

I, Congresswoman McMORRIS RODGERS, requested $500,000 on behalf of Washington State University, located at 1036 Wilson Road; Pullman, Washington 99164. The application submitted on Washington State University's behalf requested funding from the Department of Justice's Office of Justice Program's Edward Bryne Discretionary Grant Account. This funding will be applied to the Washington State University Research Center for the Study of Addiction: Methamphetamine, Prescription, and Other Drugs of Abuse.

The Washington State University Program of Excellence is known for its cutting-edge, world-class research into the treatment and prevention of methamphetamine abuse. This request will utilize existing infrastructure, which currently focuses on methamphetamine abuse, to focus on prescription drug abuse. Funds will be used to provide for one research fellow, including necessary equipment and materials, to be a faculty member in the Center of Excellence. The individual will be responsible for focusing on the effective treatment and prevention of prescription drug abuse.

EARMARK DECLARATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. YOUNG of Alaska. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I receive as part of H.R. 2487—the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

Project Name: Steller Sea Lion Comanagement, Biosampling and Outreach/Education

Bill Number: H.R. 2487

Department of Commerce, NOAA–ORF

Legal name and address of entity receiving earmark:

Alaska Sea Otter and Steller Sea Lion Commission

6239 B Street, Suite 204

Anchorage, AK 99518

Description of how the money will be spent and why the use of federal taxpayer funding is justified: TASSC will take a two pronged approach to sea lion biosampling. First, TASSC will work with two high harvest communities to fund local monitors-local residents that will work with the hunters and facilitate sea lion biosampling and help to monitor and document the local environment. Secondly, TASSC will train approximately 25 coastal Alaska residents on proper sample collection techniques and protocols from those sea lions harvested for subsistence.

Subsistence hunted Steller sea lion biosamples are very valuable to the research community. Collection and analysis of these samples can provide critical information that no other source can provide. It is recognized as a top priority activity in the 1992 and soon to be finalized Steller Sea Lion Recovery Plan. The importance of collecting samples from animals taken for subsistence is widely recognized by such groups as the National Marine Mammal Lab, Alaska Department of Fish and Game, Alaska Sea Life Center and the University of Alaska.

Appropriated Amount: $500,000

Detailed Finance Plan:

Personnel & Fringe Costs: $312,300

Travel: $89,000

Supplies: $13,700

Contractual: $50,000

Biosamplers: $10,000

Printing: $21,000

Sample Shipping: $4,000

Project Name: Sexual Assault Response Team Center

Bill Number: H.R. 2487

Department of Justice, OJP-Byrne

Legal name and address of entity receiving earmark:

The Sexual Assault Response Team (SART) Center

Municipality of Anchorage

P.O. Box 196650

Anchorage, AK 99519

Description of how the money will be spent and why the use of federal taxpayer funding is justified: Funding will be used for the continued development and operations of the Municipality of Anchorage Sexual Assault Response Team (SART) Center. This project will support victims through care while participating in investigation and prosecution and help in prosecution of sexual assault cases through professional evidence collection, documentation, preservation and processing.

The SART Center is essential in the collection of evidence through the forensic medical exam by the sexual assault nurse examiner and its operations is essential in Anchorage's effort to reduce and eliminate sexual assault. The SART lso responds to cases from other Alaskan jurisdictions that do not have SART programs, covering a large area, as the nearest SART Center is 200 miles away.

Appropriated Amount: $400,000

Detailed Finance Plan:

Program Administration, Victim Advocacy, Forensic Investigation: $340,000

Indirect/Communications: $60,000

Project Name: The Yukon River Drainage Fisheries Association

Bill Number: H.R. 2487

Department of Commerce, NOAA–ORF

Legal name and address of entity receiving earmark:

The Yukon River Drainage Fisheries Association

725 Christensen Drive, Suite 3–B

Anchorage, AK 99508

Description of how the money will be spent and why the use of federal taxpayer funding is justified: The Yukon River Drainage Fisheries Association (YRDFA) promotes healthy wild salmon fisheries along the Yukon River in Alaska. It manages programs to aid in the management through the gathering of data from subsistence harvests, Native Elders' knowledge and tracking fisheries issues impacting Yukon River salmon. The Yukon River Drainage Fisheries Association also educates fishers and managers in responsible usage and ensures both are able to work to steward the salmon fisheries.

The federal government is obligated to maintain sustainable salmon runs on the Yukon River through the Yukon River Salmon Agreement and to provide subsistence priority under the Alaska Native Interest Claims Act. YRDFA plays a key role in involving the users of the resources in maintaining the salmon runs for which the federal government is responsible for managing.

Appropriated Amount: $100,000

Detailed Finance Plan:

Policy Monitoring; Board of Fisheries, Federal Subsistence Board: $40,000

Yukon River subsistence and commercial fisheries revitalization: $15,000

Salmon By-catch monitoring and reduction: $10,000

Fisheries education and outreach: $10,000

Habitat monitoring; climate change impacts: $15,000

Project Name i-Safe e-Safety Education and Outreach Initiative

Bill Number: H.R. 2487

Department of Justice, OJP-Juvenile Justice

Legal name and address of entity receiving earmark:

i-SAFE, Inc.

5900 Pasteur Court, Suite 100

Carlsbad, CA 92008

Description of how the money will be spent and why the use of federal taxpayer funding is justified: This funding will allow i-SAFE to expand services to a projected 6.2 million students nationally by the end of the 2009 school year. It will also help to fund the i-SAFE initiatives that provide data to FBI, local law enforcement, schools and industry leaders such as USPTO, RIAA and ASCAP. This data is provided through the i-SAFE National Assessment Center—a compilation of student surveys that serve as the world's largest data base of student online behavior and attitudes.

Appropriated Amount: $630,000

Detailed Finance Plan:

i-SAFE Inc. is the leading provider of e-Safety education and training in schools nationwide. i-SAFE also provides schools/districts behavioral statistical data regarding Internet behavior and usage by their students. i-SAFE programmatic assets address a broad range of e-Safety issues through a uniquely comprehensive and holistic framework that includes training of educators (i.e., Professional Development Program—i-SAFE has trained over 85,000 educators nationwide) both online and in-person, extensive community outreach programs towards parents, seniors, legal/law-enforcement officers and, most importantly, a world-class age-appropriate curriculum which features integrated teaching and learning activities for students in all grades from primary to secondary schools. i-SAFE has educated over 8.5 million students nationwide and has cooperative agreement with many of the State Dept. of Education(s) and Districts in all 50 states including schools in Washington DC to name a few: Sidwell Friends School; St. Patricks Episcopal Day School; Woodridge Elementary; Woodridge High School & St. Peters Interparish School.

i-SAFE fulfills a vital role in the digital age and global information society, throughout the United States by empowering Internet users with the knowledge and awareness needed to garner the most benefit from Information and Communications Technologies (ICTs) and the Internet via safe, responsible, ethical and legal use.

Beginning in 2009 Congress mandated that elementary and secondary schools receiving E-Rate discounts must submit a certification to the Federal Communications Commission that as part of their Internet safety policy they are ''educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response. i-SAFE can provide to every school, throughout the United States the ''E-Rate Certification Compliance Package''. This package includes all classroom curriculum that is mandated to be taught through the Legislation mandate of the Broadband Act.

Funding will be used to expand the i-SAFE curriculum to more students and classrooms throughout the nation as well as implement the ''E-Rate Compliance Package'' into schools throughout the nation.

This request will also allow i-SAFE to provide, on a quarterly basis, student assessment data (i.e., metrics) to the district/schools upon request allowing them to have metrics on students behavioral attitudes towards online safety.

This Administration is focused on providing every student and school(s) the ability to communicate and learn through today's 21st century communication. Safety is a key component for schools that provide students with the means to access online information and services within their learning environment in the classroom. Education is the diadem to the success of students being empowered with the knowledge of learning safe and responsible tactics as a citizen in today's global economy. The only environment that is conducive for every student, regardless of age, race or socio-economic, to deploy such global education, is that of the classroom. To date, over 8.5 million students nationwide have acquired the critical thinking and decision-making skills to ensure safe online behavior. The efficacy of the i-SAFE program has proven invaluable to the tax payers nationwide.

EARMARK DECLARATION

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. HUNTER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the Commerce-Justice-Science Appropriations for FY 2010:

I requested $250,000 for the California Department of Justice (CA DOJ) through the Department of Justice, Community Oriented Police Services Meth Account. Representatives BOB FILNER (CA–51) and SUSAN DAVIS (CA–53) also requested additional funding for this program and the total amount received is $350,000. The entity to receive funding for this project is the California Department of Justice at 13001 I Street, Sacramento, CA 95814.

CA DOJ has made me aware that while California is the nation's leader in meth production, meth continues to be imported from Mexico across the San Diego border. Additionally, violent Mexican nationals are now setting up operations in California, including East County, due to the recent crackdown in Mexico. As a result of a lack of resources, law enforcement is not discovering meth labs until they have already been deserted, leaving the County to clean up. These funds will be used to purchase equipment used for investigation and seizure of meth labs, drug (all types) interdiction efforts, pay overtime to San Diego California Methamphetamine Strategy (CALMS) officers and train local law enforcement. Local law enforcement and first responders will be trained to deal with meth production, clean up and sales. San Diego County will benefit by also having additional CA DOJ enforcement teams in the County to combat drug sales and interdiction efforts.

I also requested $250,000 for the County of San Diego, CA, through the Department of Justice, Office of Justice Programs—Byrne Discretionary Grants Account. The entity to receive funding for this project is the San Diego County Sheriff's Department at 9621 Ridgehaven Court, San Diego, CA 92123.

Funding for this program will be used to implement and replicate the North County Gang Enforcement Collaborative (NCGEC), which focuses on cooperation and communication among street level officers from numerous different law enforcement jurisdictions. NCGEC has successfully reduced violent crime, gangs and other activity and enterprises that result in violent crime and gang violence in the targeted region. Countywide, however, incidence and severity of gang and drug crime is on the rise (502 cases in 2007 to 616 cases in 2008), especially with gangs that serve as the distribution and enforcement arms of international drug cartels, as well as those involved with weapon and human trafficking. The 52nd District comprises between 5 to 9 percent of all gang crime activity countywide. These numbers, however, do not actually reflect gang crimes because much of this activity goes unreported. Additionally, San Diego is the largest port of entry from Mexico, where cross border operation among gangs is routine and from San Diego, contraband is distributed nationally.

I met with the San Diego County Sheriff's office to discuss the types of other organized groups involved in criminal activity, e.g., outlaw motorcycle gangs, white supremacists, and skinheads in San Diego's East County. East County will serve as a test site to see if this type of program will reduce these types of gangs. From 2007 and 2008, there were 76 gang related prosecutions from the 52nd District. If successful, the program will be expanded nationally.

CONDEMNING SHOOTING AT U.S. HOLOCAUST MUSEUM

SPEECH OF

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 11, 2009

Mr. NADLER of New York. Mr. Speaker, I rise in support of House Resolution 529 and to condemn in the strongest possible terms the shooting yesterday at the United States Holocaust Memorial Museum in Washington.

Mr. Speaker, a just society has no place for acts of violence, and such acts deserve our strong condemnation. It is a terrible tragedy any time innocent people are terrorized or murdered, and we must always speak out against such senseless conduct.

Yet the shooting at the Holocaust Memorial Museum was uniquely horrific, and deserving of special repudiation, for it threatened an entire group of people. It was the entire Jewish community which was the target of the deranged shooter, Mr. James Wenneker von Brunn. This hateful man has long held vicious anti-Semitic and white supremacist views, and tragically yesterday he acted on this demented outlook.

It is all the more disgusting that Mr. von Brunn carried out his evil act at the Holocaust Memorial Museum. It is there that we honor the millions of Jews and other victims of the Nazi Holocaust. It is there that we educate thousands of people each day about this genocide, with the goal that it never be forgotten and never happen again. Committing an act of anti-Semitic violence at such a hallowed place is gross beyond words.

Mr. Speaker, House Resolution 529 rightfully condemns the vicious shooting that took place yesterday at the Holocaust Memorial Museum. It also urges the American people to join us in condemning this horrific event, offers the condolences of the House of Representatives to the family of Officer Stephen Tyrone Johns, and reaffirms our commitment to further the mission of the United States Holocaust Memorial Museum. I urge all Members to support it.

Mr. Speaker, let me close by thanking Representative RON KLEIN for sponsoring this resolution and repeating my emphatic denunciation of the horrific shooting. I also want to take this opportunity to offer both my personal condolences to the family of Officer Johns and my appreciation for his heroic actions and those of the other museum employees.

ON INTRODUCING A RESOLUTION REGARDING BLACK-JEWISH RELATIONS AND THE SHOOTING AT THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise to introduce a resolution expressing the sense of Congress regarding Black-Jewish relations and the June 10, 2009 shooting at the United States Holocaust Memorial Museum in Washington, D.C. Special Police Officer Stephen Tyrone Johns, an African American, was shot dead by a white supremacist while defending an institution devoted to Jewish history and to the eradication of all forms of hatred and violence.

Madam Speaker, last week's tragic act of violence reminds us yet again that black Americans and Jewish Americans share a great deal in common. Our two communities have a long history of fighting injustice and hate, whether in the form of racism, anti-Semitism, xenophobia, or any other form of senseless hatred. We have so often stood together, united in our desire to create a world free from the kind of violence that plagued this nation last week. When Jewish Americans helped found the National Association for the Advancement of Colored People in 1909 and the Urban League in 1910, they did so out of a conviction that by mitigating the evils of racial intolerance all people would benefit from an America free of discrimination and committed to equal justice and equal opportunity for all. Indeed, W.E.B. Dubois told the Jewish Daily Forward in 1928 that "the Negro race looks to Jews for sympathy and understanding," referencing the sense amongst both communities that in their respective histories they had endured similar challenges.

A few decades later African Americans would denounce the Nazis' racial policies and fight against Hitler, while those of African descent were marginalized in Germany and, in a little-known twist of history, many African Americans found themselves prisoners in concentration camps. Jewish Americans have always been deeply grateful to the members of the Armed Forces who liberated the concentration camps, including African American soldiers who took part not only in freeing the camps but seeing to the health and well being of Jewish refugees afterward.

Here in the United States, during the 1950s and 1960s, black Americans and Jewish Americans often stood side by side in the fight for civil rights and equal justice. Sometimes they even died for their efforts, as was the case with the infamous 1964 murders of civil rights workers James Chaney, Andrew Goodman, and Michael Schwerner in Mississippi. Over 50% of civil rights attorneys in the South during those years were Jewish, and the two communities and their various advocacy organizations were often united against the inflamed hatreds and acts of violence of that era.

Madam Speaker, last week's shooting exemplified the extent to which our two communities can be united on issues that profoundly and tragically affect us both. There is no doubt that the act of violence at the Holocaust Museum was directed against the very notions of equality, acceptance, and mutual respect that our communities constantly strive for. We both share a common historical narrative around discrimination, persecution, injustice, and hatred. But a significant part of that narrative also includes our efforts to overcome those hardships and together rise above the petty hatreds and tragic acts of violence that plague our communities.

I hope that last week's shooting at the Holocaust Museum will not be dismissed as the random ravings of a crazed lunatic. But let us also not forget that there have been many more acts of violence here in this country since last week, and it is incumbent upon both of our communities—indeed, our entire society—to boldly confront not only the white supremacists but also the gang violence, and not only the anti-Jewish screeds but also the horrific racial diatribes littering the social conscience. We must not only improve security at the Holocaust Museum and other Jewish institutions but also put more police on the streets in our urban neighborhoods; not only redouble our efforts on education, training, and outreach but also take concrete measures to expand opportunities like college, jobs, and health care to all Americans. Let us once again have African Americans and Jewish Americans stand together for justice and equality.

I urge my colleagues to support this resolution.

EARMARK DECLARATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. COLE. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the Departments of Commerce and Justice, and Science, and Related Agencies Appropriations for FY2010.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2847

Provision: Title I

Account: NOAA–ORF

Legal Name of Requesting Entity: "The University of Oklahoma"

Address of Requesting Entity: 100 E. Boyd St, Room 1110, Norman, OK 73019 USA

Description of Request: Provide an earmark of $2,000,000 to support research and development for a Phased Array Radar system, with the capability of detecting forecasting advanced detection of tornadoes, and other forms of severe weather at the National Severe Storms Labs (NSSL) in Norman, OK. Approximately, $800,000 is for Development of polarimetry and a phased array panel for advanced weather radar observations; $700,000 for Fundamental research on imaging radar technology as a possibility for multi-function national radar coverage; and $500,000 will be used for precision laboratory experiments for radio wave scattering of hydrometeors for advancements in numerical weather prediction.

Requesting Member: Congressman Tom Cole

Bill Number: H.R. 2847

Provision: Title II

Account: COPS Law Enforcement Technology

Legal Name of Requesting Entity: "The Chickasaw Nation"

Address of Requesting Entity: 1130 West Main St., Ada, Ok 74820

Description of Request: Provide an earmark of $750,000 to administer a law enforcement visual intelligence technology project for the Chickasaw and Choctaw Nations, which encompasses 22 counties in Southern and Southeastern Oklahoma. Approximately, $39,000 will be used for program administration; $688,000 will be used for image libraries; $7,500 will be used for media distribution and equipment; and $15,500 will be used for installation, training and customer support. For

the first time, all federal, state, and local agencies operating within the aforementioned areas will have a common visual imagery tool to jointly manage emergencies. The project enhances public safety, officer safety, and puts sophisticated geospatial intelligence information into the hands of those responding to fire, crisis, 911 calls, and more. In this way, they can better respond to the situations at hand and do so more safely.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2847

Provision: Title II

Account: COPS Law Enforcement Technology

Legal Name of Requesting Entity: ''City of Norman, Oklahoma''

Address of Requesting Entity: 201 West Gray, PO Box 370, Norman, OK, USA

Description of Request: Provide an earmark of $250,000 to replace the state's current networking system for Computer Aided Dispatch, record management, mobile data access, mapping, and other software tools critical to disaster response. Of this amount, approximately $135,000 would be used for application software, $56,000 would be used for support services, $28,000 would be used for third party costs, $17,000 would be used for custom software interfaces, and $14,000 would be used for travel and living expenses for the contractors installing the system. The City's present system does not provide effective integration of these services and causes critical delays in disaster response. The City of Norman will provide a minimum of a 50/50 cost share and this funding will come directly from the City.

Requesting Member: Congressman TOM COLE

Bill Number: H.R. 2847

Provision: Title II

Account: COPS Law Enforcement Technology

Legal Name of Requesting Entity: ''Southeastern Oklahoma State University''

Address of Requesting Entity: 1405 N 4th Ave, PMB 4187, Durant, OK 74701

Description of Request: Provide an earmark of $270,000 to enhance the Emergency response System at Southeastern Oklahoma State University. Approximately, $20,000 is for a Campus-wide Panic Duress Systems; $200,000 for engineering; $75,000 for economic analysis; $2,000 is for SMS text messaging software; $50,000 will be used for a Campus-wide public announcement system; $23,000 will be used for campus emergency call boxes; $75,000 will be used for an emergency power generator; $50,000 will be used for Equipment, Radios and Uniforms for public safety staff; and $50,000 will be used for a fingerprint and document imaging scanner. This safety equipment will ensure that students feel safe on campus and will increase the response abilities of Southeastern State. This safety will also encourage more students to attend this college and therefore grow the local community.

EARMARK DECLARATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. REICHERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2487, the Fiscal Year 2010 Commerce, Justice, Science, and Related Agencies Appropriations Act.

(1) $500,000 for the Region 43, Pierce County Metropolitan Public Safety Communications Interoperable First Responder Emergency Communication System

Requesting Entity: Pierce County Sheriff Department, 930 Tacoma Avenue, Tacoma, WA 98402

Agency: Department of Justice

Account: COPS Tech

Funding Requested by: Rep. DAVE REICHERT

Currently, Pierce County has several disparate radio systems which do not allow easy interoperability, or only provide minimal interoperability. There is a drastic need for improved operable communications and interoperable communications in Pierce County which will take advantage of new technology.

Two critical components of this project involve a county-wide radio system and 911 dispatch centers. Pierce County will plan, purchase and build a county-wide interoperable radio communications system and two 911 dispatch centers (one police and one fire communications facilities), co-locating participating PSAPs into physically separate, fully redundant and survivable Fire and Police communications facilities. This project will solve the County's interoperability issues and establish the capacity to use operating funds, staff and equipment more efficiently.

Building a regional interoperable communications system with two consolidated PSAPs will dramatically improve the ability of first responders to respond to natural or manmade disasters within Pierce County and improve day-to-day operational capabilities. This project comes at a critical time due to sun-setting technology and FCC mandates. Additionally, this will enable all first responders to become interoperable. Citizens of Pierce County and the Puget Sound will benefit from first responders rapidly deploying to events and communicating effectively for life safety issues.

Additionally, an estimated 1,080 prevailing wage jobs will be created to construct facilities and communications sites. Further, in-state companies will have the opportunity to participate in supplying building materials, equipment, supplies and services. Local and state governments will benefit from sales tax revenues and permitting fees.

Finance Plan:

Site development:	
Backhoe Excavation for Shelter Foundation Designs	6,000
Shelter Foundation 12 x 32	18,500
Generator Foundation	12,300
Fuel Tank Foundation	10,200
Shelter, Fuel Tank and Generator Placement	17,000
Utility Locate	1,100
High voltage electrical installation	30,000
Grounding for new shelter, generator, and tower components	17,000
Tower Ice Bridge	5,000
Design Construction Drawings	5,000
As Built Construction Drawings	1,650
Shelter, Generator and Tank and Tower Foundation design	5,000
Misc. Civil Construction (Includes extended Utility Trenching, Rock/Site Finish, Landscaping, Misc. Concrete and Bollards, Fuel Tank, install and fuel)	21,200
Site Acquisition and Zoning Services (Includes Building Permit Processing, Zoning submittal and Approval Process)	3,100
General Testing (Includes Soil Resistivity Test, Compact Test, Concrete Test, Grounding Test, Generator Load Test, and Special Inspections)	8,000
Construction Mgmt Services (includes Subcontractor's Construction Management, Project management Project Coordinator, Mobilization, Temp Facilities, Transportation of materials to Site and Close out Preparation)	26,100
Tower Foundation	95,000
Crane Rental	15,000
Site Topographical Survey	4,100
Standard Geotechnical Investigation	20,000
Tower Freight	18,500
Shelter Freight	31,000
Tower	98,000
12 x 32 Shelter w/aggregate ext. & twin A/C units	94,000
Tower Lighting	11,000
Self-Supporting Tower Erection	60,000
Fences/Gates	25,000
Building Permit review	3,000
Geotech	6,500
Site Drawings	2,000
Geotech Follow Up	2,000
Radio base stations (Includes antenna combiners, antennas, feedlines and lightning suppression	165,000
Microwave backhaul equipment	140,000
Multiplexers	20,000
Misc. Parts and Supplies	2,750
Site Development Total	1,000,000

(2) $150,000 for the Valley Cities Public Safety Regional Broadband Network

Requesting Entity: City of Auburn, 25 West Main Street, Auburn, WA 98001

Agency: Department of Justice

Account: COPS Tech

Funding Requested by: Reps. DAVE REICHERT, ADAM SMITH

The Valley Cities completed a regional broadband network study in 2007 that recommended the development of a regional fiber optic ring that would connect the Cities, support public safety, and enhance interagency communications, law enforcement capabilities, and emergency response. Seven of the Valley Cities are supported by the Valley Communications 911 center. The development of a fiber ring between these cities, including the Valley Communications 911 center, provides the infrastructure to support interagency communications. Additional wireless access devices will support communications in the field.

This project also supports communications between public safety entities during mutual aid and disaster response, and will allow for future connectivity between regional 911 centers such as LESA in Tacoma and NorComm in the Northeast King County area.

The cities of the Valley, from Puyallup to Tukwila, account for more than 65 percent of all industrial, distribution and warehousing in the Puget Sound Region. Combined they are known as the Green River Valley Distribution Hub, an important and highly effective economic engine for the Puget Sound Region and the entire state of Washington. Currently, the

Valley Cities employ more than 85,000 people and have a population of over 300,000. There are more than 12,400 acres of industrial lands, 164 miles of truck routes and 8,432 acres of commercial land in this economic region.

As the region grows, it is critical to maintain effective tools for law enforcement in their efforts to keep the community safe. The Auburn, Renton, Kent and Tukwila agencies own the Valley Communications 911 center, which also provides services to the Algona and Pacific agencies. The funding will streamline their communications and provide opportunities for communications in mutual aid or disaster response situations throughout the nine Valley Cities. In addition, City of Auburn provides Public Safety Records Management services for the Cities of Algona and Pacific. The secure fiber network between these nine agencies will allow the cities to have high speed communications and meet the ever expanding Criminal Justice Information Security (CJIS) requirements that mandate the securing and encryption of these data networks.

The Cops Technology grant program provides funding for the continued development of technologies and automated systems that help local law enforcement agencies prevent, respond to, and investigate crime. As part of a technology upgrade to begin in 2009, 911 communications for the law enforcement capabilities and public safety community will be changed from radio to IP-based. This will require wired (fiber) communications between the Valley Communications 911 Center and public safety agencies, as well as wireless communications between agencies and mobile computers installed in law enforcement vehicles.

The project will provide 65 direct family wage jobs in the design and construction of this project. In addition, maintenance and operations of this fiber network will provide indirect jobs with regional vendors who will provide the support of the network.

Finance Plan:

Valley Cities Public Safety Regional Broadband Network Cost Estimate

Construction Budget Estimate:	
Segment A: Backbone	$750,000
Segment B: Valley Communications	$200,000
Segment C: Auburn City Hall	$50,000
Segment D: Federal Way City Hall	$500,000
Segment E: Kent City Hall	$50,000
Segment F: Tukwila City Hall	$50,000
Segment G: Renton City Hall	$50,000
Segment H: Puget Sound Access	$50,000
Segment I: Algona	$90,000
Segment J: Pacific	$90,000
Segment K: Auburn M&O Facility to Ellingson	$200,000
Total of estimates	$2,080,000
Project Management & Design Budget Estimate:	
Consultant design engineering	$470,000

Valley Cities Public Safety Regional Broadband Network Cost Estimate—Continued

Consultant project management	$450,000
Total of estimates	$920,000
Estimated Total Project Cost	$3,000,000

(3) $1,500,000 for the Washington State Meth Initiative.

Requesting Entity: Pierce County Alliance, 510 Tacoma Ave. So., Tacoma, WA 98402.

Agency: Department of Justice.

Account: COPS Meth.

Funding Requested by: Reps. DAVE REICHERT, ADAM SMITH, RICK LARSEN, NORM DICKS, BRIAN BAIRD.

The methamphetamine epidemic in Washington State mandated an intensive, proactive approach to address the problem on every level, prompting the organization of the Washington State Methamphetamine Initiative in 1999. A coalition of concerned, public and private entities developed a comprehensive, integrated program incorporating a focused treatment component, community mobilization and prevention, and environmental and property damage remediation.

WSMI's main goals are to improve enforcement, abate production of methamphetamine, and provide prevention, treatment, and the necessary resources to mobilize communities state-wide. The program propagated an effective treatment model to deal with the severity of the drug and created ''Meth Action Teams'' (MATs) in every county, educating and organizing communities to combat the drug and all its related effects at the grassroots. Having effectively launched the program in 2001, WSMI seeks to continue to meet the compelling threat of methamphetamine in our state by pursuit of a proven, cost-effective strategy that has reduced the number of illicit meth labs and dump site discoveries by over 70%.

This funding is an ideal implementation of the COPS ''Meth Hot Spots'' funding because it directly targets the multi-faceted impacts of methamphetamine on our communities statewide. The funding will also be critical to the retention of jobs related to the proactive investigation efforts related to methamphetamine trafficking across the state.

Finance Plan:

This finance plan reflects a continuation of federal funding for the Washington State Methamphetamine Initiative (WSMI), initiated in 2000. The funds are allocated as indicated below and the 2010 funding request will continue the current positions and activities of the Initiative.

Budget Item	Federal	County
Law Enforcement	961,000	
Prevention	300,000	
Treatment	460,544	228,320
Indirect Costs	278,456	
Total	2,000,000	228,320

This office conducted site visits to meet with representatives from all three of the projects listed above.

CELEBRATING ASIAN/PACIFIC-AMERICAN HERITAGE

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 8, 2009

Ms. RICHARDSON. Madam Speaker, I rise today in strong support of H. Res. 435, celebrating Asian Pacific American Heritage Month. I thank Chairman TOWNS and my California Delegation colleague, Congressman HONDA for their work in bringing this resolution to the floor today.

This is a very exciting time for the Asian American Pacific Islander (AAPI) community and I am looking forward to working with my colleagues in the Congressional Asian Pacific American Caucus and with the Obama Administration to advance the AAPI objectives.

The 37th Congressional District of California, which I am privileged to represent, is home to one of the largest Asian constituencies in the nation, including large representations of Filipinos, Samoans and Cambodians. My district is home to the largest Cambodian population in the United States, and the second largest Cambodian population outside of Cambodia. Because of the diversity of my district and in our nation, I am a proud member of the Congressional Asian Pacific American Caucus.

This year's theme for Asian Pacific American Heritage Month is ''Lighting the Past, Present, and Future.'' The past is filled with rich cultural, economic, and technological contributions from the Asian community. The month of May was chosen to celebrate Asian Pacific American Heritage for two significant reasons. On May 7, 1843, the first Japanese immigrants arrived to our country and on May 10, 1860, the first transcontinental railroad was completed. The transcontinental railroad transformed our nation and could not have been completed without the inclusion of Chinese immigrants.

Here in Congress, Dalip Singh Saund was the first Asian American elected in 1957 and less than a decade later, Patsy Mink became the first Asian American woman elected to Congress. Both overcame adversity to pave the way for all minorities, including a distinguished American and Medal of Honor winner, Senator DANIEL INOUYE, who has served in the other body for nearly a half century. Today, we have seven Members of Congress of Asian descent and 25 Members of Congress, including myself, in the Congressional Asian Pacific American Caucus.

The AAPI theme, the ''present'' demonstrates the great progress we have made as a country. Despite the challenges and adversity that Asian Pacific Americans have experienced, many have forged ahead and made significant contributions. History was made when this nation elected a President with such significant personal ties to the Asian Pacific community. President Obama spent his childhood in Hawaii and Indonesia. One of President Obama's first guests to the Oval Office was the Prime Minister, Taro Aso of Japan. Further, President Obama appointed three Asian Americans to his cabinet: Secretary of Energy, Dr. Steven Chu; Secretary of Commerce, Gary Locke; and Secretary of Veterans Affairs, Eric Shinseki.

I have much hope for the future because Asian Pacific Americans and all Americans are working together hand in hand with others to ensure equality and advancement not only of their community, but all communities.

Madam Speaker, let me again thank Congressman HONDA, Chair of the Congressional Asian Pacific American Caucus, for his leadership in introducing this resolution. I look forward to celebrating the accomplishments of Asian Pacific Americans this year and for years to come.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

SPEECH OF

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 12, 2009

Mr. PRICE of North Carolina. Madam Speaker, I thank Chairman WAXMAN for his leadership on this important legislation—and on the whole range of public health issues before the Congress—and have talked extensively with him about the intention of the use of the term ''small business tobacco manufacturing industry'' as it concerns the Scientific Advisory Committee established in Section 917(b)(1).

H.R. 1256 provides for the establishment of a 12-member Tobacco Products Scientific Advisory Committee and stipulates that one of the members of the Committee shall be a ''representative of the interests of the small business tobacco manufacturing industry'' that may be filled on rotating, sequential basis by representatives of different ''small business tobacco manufacturers.''

For the purpose of phrasing in compliance with certain requirements of this act Section 900(16) of the bill defines ''small tobacco product manufacturers'' as those having fewer than 350 employees. However, the bill does not define what constitutes a ''small business tobacco manufacturer'' as it relates to the SAC.

Chairman WAXMAN has assured me that I am correct in concluding that the term in section 917(bX1) regarding membership on the Advisory Committee is different from—and need not be interpreted as the same as—the one used in proposed new section 900(16).

Additionally, Chairman WAXMAN has assured me that when section 917(b)(1) says that one member of the Scientific Advisory Committee must be a representative of the ''small business tobacco manufacturing industry'' that does NOT mean that the person must be a representative of a ''small tobacco products manufacturer'' as defined in section 900(16).

I appreciate the chair's effort to ensure that small manufacturers have a seat at the table on the Scientific Advisory Committee. The passage of this important legislation is a victory for public health and our nation's children. I have supported this bill in both this and the last Congress because I believe we must place a far greater emphasis on youth smoking prevention and the elimination of tobacco advertising aimed at children. The Food and Drug Administration is the logical agency to take on the new regulatory responsibilities, and Congress and the Obama Administration need to make sure they have adequate support to carry out this important job.

EARMARK DECLARATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. FRELINGHUYSEN. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as a part of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2010.

Title II: Department of Justice

The 11th Congressional District was directly impacted by the events of 9/11 and it is critical to continue to make direct investments to improve first responder and law enforcement communications and for like technology and equipment upgrades.

Bill Number: H.R. 2847

Account: Community Oriented Policing Services

Legal Name of Entity: Somerset County Office of Emergency Management

Address of Requesting Entity: 20 Grove Street, P.O. Box 3000, Somerville, NJ 08876

Funding Level: $1,000,000

Description of Request: It is my understanding that the funding would be used for police communication equipment upgrades and interoperability technology enhancements.

Bill Number: H.R. 2847

Account: Community Oriented Policing Services

Legal Name of Entity: Sussex County Office of Emergency Management

Address of Requesting Entity: 39 High Street, Newton, New Jersey 07860

Funding Level: $1,000,000

Description of Request: It is my understanding that the funding would be used for police communication equipment upgrades and interoperability technology enhancements.

Bill Number: H.R. 2847

Account: Community Oriented Policing Services

Legal Name of Entity: Essex County Office of Emergency Management

Address of Requesting Entity: 50 Nelson Place—2nd Floor, New Courts Building, Newark, New Jersey 07102.

Funding Level: $1,000,000

Description of Request: It is my understanding that the funding would be used for police communication equipment upgrades and interoperability technology enhancements.

Title IV: Science

Bill Number: H.R. 2847

Account: National Aeronautics and Space Administration, Cross-Agency Support Programs

Legal Name of Entity: Drew University

Funding Level: $1,000,000

Address of Requesting Entity: 36 Madison Avenue, Madison, New Jersey 07940

Description of Request: It is my understanding the funding will be used for research and curricula enhancements, including GIS mapping and space imagery of the impact of climate change on forest resources and development of new environmental studies courses and for construction and improvements of science laboratories, for science equipment and technology, and for improvements to associated science classroom space.

EARMARK DECLARATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mrs. MCMORRIS RODGERS. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2487, FY2010 Commerce, Justice, Science and Related Agencies Appropriations Act.

Requesting Member: Congresswoman CATHY MCMORRIS RODGERS

Bill Number: H.R. 2847

Account: Office of Justice—Edward Byrne Discretionary Grant Account

Legal Name of Requesting Entity: Washington State University

Address of Requesting Entity: 1036 Wilson Road, Pullman, Washington 99164

Description of Request: The Washington State University Program of Excellence is known for its cutting-edge, world-class research into the treatment and prevention of methamphetamine abuse. This request will utilize existing infrastructure, which currently focuses on methamphetamine abuse, to focus on prescription drug abuse. Funds will be used to provide for one research fellow, including necessary equipment and materials, to be a faculty member in the Center of Excellence. The individual will be responsible for focusing on the effective treatment and prevention of prescription drug abuse.

EARMARK DECLARATION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. CRENSHAW. Madam Speaker, I rise today to submit documentation consistent with the Republican Earmark Standards.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2847—Commerce, Justice, Science Appropriations Act of 2010

Account: Office of Justice Programs—Juvenile Justice

Legal Name of Receiving Entity: PACE Center for Girls, Inc.

Address of Receiving Entity: 1 West Adams Street, Suite 301, Jacksonville, FL 32202

Description of Request: I have secured $400,000 in funding in H.R. 2847 in the Office of Justice Programs—Juvenile Justice Account, under the Department of Justice for PACEWorks!

The purpose of this program is to help guide at-risk female youths away from the justice system and toward a productive and self-sustaining adulthood. This project is eligible for federal funding under the Department of Justice, Office of Justice Programs—Juvenile Justice Account. This transition program for at-risk girls and young women in Duval and Broward counties includes vocational education, integrated employment, continuing education, and independent living training.

Pace Center for Girls, Inc., will contribute $430,000 to this project that will help curb the increasing amount of juvenile offenders. This

project is eligible to receive a federal grant under the Department of Justice, Office of Justice Programs—Juvenile Justice Account.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2847—Commerce, Justice, Science Appropriations Act of 2010

Account: Office of Justice Programs—Byrne Discretionary Grants

Legal Name of Receiving Entity: City of Jacksonville, FL

Address of Receiving Entity: 117 W. Duval St., #400, Jacksonville, Florida 32202

Description of Request: I have secured $1,250,000 in funding in H.R. 2847 in the Office of Justice Programs—Juvenile Justice Account under the Department of Justice for the At-Risk Youth Intervention Initiative.

Jacksonville, FL, has been the ''murder capital'' of Florida for nine years running, and 14 of the last 19 years, with the per capita homicide rate spiking at an alarming rate since 2001. More than 10 percent of the murders in Florida occur in Duval County, even though it represents about 5 percent of the state population.

Jacksonville Journey's At-Risk Youth Intervention Initiative aims to reduce truancy, drop-out rates, and assess juveniles when initially entering the juvenile justice system. The three pronged approach will utilize Out-of-School Suspension Program, Juvenile Assessment Center, and the Team Up after school education program. This program will divert at-risk youth away from the criminal system and dramatically reduce the number of unsupervised youth, improve academic outcomes, and reduce crime.

This project is a valuable use of taxpayer funds because the At-Risk Youth Intervention Initiative aims to reduce truancy, drop-out rates, and provide after school education programs. This program will utilize Out-of-School Suspension Centers to provide a structured and safe environment for suspended juveniles. Youth arrested in Jacksonville will be taken to the Juvenile Assessment Center where counselors will determine an appropriate placement and intervention strategy. Team UP, one of the other partners in the initiative, is an after-school program that provides education and counseling services to low-income at-risk youth.

The Jacksonville Journey At-Risk Youth Intervention Initiative will be funded by local, state, and private funds totaling $5,000,000. This project is eligible to receive a federal grant under the Department of Justice, Office of Justice Programs—Juvenile Justice Account.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2847—Commerce, Justice, Science Appropriations Act of 2010

Account: Community Oriented Policing Services Technology

Legal Name of Receiving Entity: Jacksonville Sheriff's Office

Address of Receiving Entity: 501 East Bay Street, Jacksonville, Florida 32202

Description of Request: I have secured $750,000 in funding in H.R. 2847 in the Community Oriented Policing Services Technology Account under the Department of Justice for Atmospheric Detection Equipment for the Jacksonville Sheriff's Office.

The Jacksonville Sheriff's Office is seeking the atmospheric detection equipment to monitor atmospheric conditions related to: Hazmat accidents, emergency situations and criminal activity. By providing funding for this project it will enhance the Jacksonville Sheriff's Office's detection capability and mitigate consequences to Hazmat accidents and crime scenes, increase public and officer safety.

This project will serve the Port of Jacksonville, DOD facilities based at the Port of Jacksonville, and all of Duval County. The Jacksonville Sheriff's Office responds to Atmospheric Emergency situations for both commercial and military facilities at the port of Jacksonville. Federal assets at the Port of Jacksonville do not have the capabilities for atmospheric detection that this project will provide.

The Jacksonville Police Department is contributing $551,374 over a four year period for officer training and additional costs related to this project.

This project is eligible for federal funding under the Department of Justice, Community Oriented Policing Services Technology Account.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2847—Commerce, Justice, Science Appropriations Act of 2010

Account: Office of Justice Programs—Byrne Discretionary Grants

Legal Name of Receiving Entity: Tallahassee Community College

Address of Receiving Entity: 444 Appleyard Drive, Tallahassee, FL 32304

Description of Request: I have secured $245,000 in funding in H.R. 2847 in the Office of Justice Programs—Byrne Discretionary grant program under the Department of Justice for the Florida Public Safety Initiative at Tallahassee Community College.

After the September 11, 2001, tragic events, a concerted effort was begun by law enforcement agencies to reduce barriers that impede intelligence sharing so that future tragedies could be prevented.

The National Criminal Intelligence Sharing Plan (NCISP) was developed as a key tool that law enforcement agencies can employ to support crime-fighting and public safety efforts. The NCISP developed minimum criminal intelligence training standards for law enforcement personnel, and recommended that ''training should be provided to all levels of law enforcement personnel involved in the criminal intelligence process.''

The Florida Public Safety Institute (FPSI) at Tallahassee Community College initiated a project to update existing intelligence training programs at FPSI to enable law enforcement and other criminal justice agency personnel engaged in the planning, collection, collation, analysis, and dissemination of information and criminal intelligence to meet NCISP standards.

Tallahassee Community College will contribute $394,000 to the project. This project is eligible for federal funding under the Department of Justice, Office of Justice Programs—Byrne Discretionary grant program.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2847—Commerce, Justice, Science Appropriations Act of 2010

Account: Community Oriented Policing Services Technology

Legal Name of Receiving Entity: Union County, FL, Sheriff, Lake Butler, FL

Address of Receiving Entity: 55 W. Main St. Courthouse, #102, Lake Butler, FL 32054

Description of Request: I have secured $500,000 in funding in H.R. 2847 in the Community Oriented Policing Services Technology Account under the Department of Justice for the Law Enforcement Visual Intelligence Tool.

The counties of Duval, Nassau, Union, Baker, Hamilton, Columbia, Leon and Madison in North Florida will greatly benefit from the availability of this Law Enforcement Visual Intelligence Tool. It will allow them to manage natural disasters, crime scenes, and emergencies. Within seconds, a law enforcement officer will be able to view and analyze any house, building, intersection, fire hydrant, tree or any feature in the county from their laptop, workstation, or mobile device.

The Union County Sheriff will administer the program for the following eight North Florida counties: Union, Baker, Nassau, Columbia, Hamilton, Madison, Jefferson and Leon. The eight counties involved in this program will share the administrative and officer training costs incurred by this program.

This project is eligible for federal funding under the Department of Justice, Community Oriented Policing Services Technology Account.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2847—Commerce, Justice, Science Appropriations Act of 2010

Account: NOAA–ORF

Legal Name of Receiving Entity: Southern Shrimp Alliance

Address of Receiving Entity: P.O. Box 1577, Tarpon Springs, FL 34688

Description of Request: I have secured $700,000 in funding in H.R. 2847 in the National Oceanic Atmospheric Administration—Operations, Research and Facilities grant program under the Department of Commerce for the Shrimp Industry Fishing Effort Research Continuation.

This project will utilize Electronic Logbooks to fulfill federal regulations and statutory requirements to reduce bycatch, end overfishing, and rebuild overfished stocks including red snapper in federal waters. This project would deploy Electronic Logbooks in the U.S. shrimp fleet which helps administer the collection and analysis of data.

This project is eligible for federal funding under the Department of Commerce, National Oceanic and Atmospheric Administration—Operations, Research and Facilities Account.

Requesting Member: Congressman ANDER CRENSHAW

Bill Number: H.R. 2847—Commerce, Justice, Science Appropriations Act of 2010

Account: Community Oriented Policing Services Technology

Legal Name of Receiving Entity: City of Jacksonville Beach, FL

Address of Receiving Entity: 11 North Third Street, Jacksonville Beach, FL 32250

Description of Request: I have secured $250,000 in funding in H.R. 2847 in the Office of Justice Programs—Community Oriented Policing Law Enforcement Technology grant program under the Department of Justice for the City of Jacksonville Beach, FL to procure an Interoperability P–25 Compliant Radio System.

The City of Jacksonville Beach, FL, law enforcement will procure an Interoperability P–25 Compliant Radio System for public safety communications. This will enable the local law enforcement to communicate with all local first responders in the area.

The Jacksonville Beach Interoperability P–25 Compliant Radio System is a valuable use of taxpayer dollars because upgrading Jacksonville Beach's law enforcement public safety communications to a digital system will enable the local law enforcement to better communicate in case of natural disasters and emergencies.

This project is eligible for federal funding under the Department of Justice, Community Oriented Policing Services—Law Enforcement Technology Account.

HELPING ACTIVE DUTY DEPLOYED ACT OF 2009

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, today I introduced the Helping Active Duty Deployed Act of 2009 to help the brave men and women in our armed forces as they prepare for deployment or change of station. The Helping Active Duty Deployed Act of 2009 (HADD Act), would relieve military personnel who are deploying or changing station from onerous penalties that they currently incur for early termination of private contracts. It is unconscionable that the members of our armed forces who put their lives on the line to protect our freedom are charged early termination penalties when facing deployment or change of station.

The HADD Act will make it illegal for a cell phone company to charge an early termination penalty to members of the military facing deployment or change of station. The 110th Congress provided that cellular telephone service entered into solely by the military member was not subject to an early termination penalty should the member receive change of station orders. However, many military members with families have more affordable family plans, and can still be charged early termination penalties. They are faced with two unpalatable options—continue to pay for a family plan they are no longer able to use, or pay an early termination penalty.

The HADD Act will make it illegal for a landlord to charge an early termination penalty to members of the military facing deployment or change of station. Although the current Servicemember Civil Relief Act permits members to legally terminate a residential lease, it does not exempt them from early termination penalties. Conversely, existing law expressly prohibits early termination penalties for terminating a motor vehicle lease.

The HADD Act will make it illegal for institutions of higher education to retain the unused portion of tuition a member of the military was forced to forgo due to deployment or change of station. Military personnel should receive a tuition refund if they are deployed mid-semester. The 110th Congress passed the expanded GI Bill, expressing its support for our veterans. I cannot believe that we would implicitly discourage their education during their years of service for fear that their tuition expenses may be lost if they are called upon to actively serve their country. The HADD Act will fix this disparity.

Madam Speaker, the HADD Act has the endorsement of the Iraq and Afghanistan Veterans of America and I will introduce a copy of their letter into the record. I hope my colleagues will join me in supporting our men and women in uniform, and outlaw the practice of penalizing our military for their service to our country.

IRAQ AND AFGHANISTAN VETERANS OF AMERICAN HADD ACT LETTER OF SUPPORT

(By Patrick Campbell)

MAY 8, 2009.

Hon. GERALD E. CONNOLLY,
Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN CONNOLLY: Iraq and Afghanistan Veterans of America (IAVA) is proud to offer our support for the Helping Active Duty Deployed Act of 2009 (HADD). The Servicemember Civil Relief Act must continue to be modernized to ensure that our men and women in uniform are focusing on their missions overseas and not bureaucratic morass back at home. Over 500,000 National Guard and Reservists have been deployed since 9/11 and nearly 1/5th of those are currently enrolled in college. Without federal protections these servicemembers who are deployed mid academic term face a patchwork of refund procedures which are confusing and inconsistent. HADD will require colleges to refund tuition paid by the servicemember for courses they could not complete due to a deployment. This legislation will also allow servicemembers who have cell phone contracts on a family plan to suspend their service while they are overseas. While I was in Iraq, I was required to pay a monthly fee to my cell phone provider in order to keep my cell phone contract current. I spent five hours of my first day back from Iraq in a Cingular Wireless store just trying to get my service restored. It took me over 7 months for the whole issue to get resolved and required filing a complaint to the FCC and switching service providers.

If we can be of help in securing passage of this bill, please feel free to contact me. We look forward to working with you.

Sincerely,

PATRICK CAMPBELL,
Chief Legislative Counsel.

EARMARK DECLARATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. BRADY of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 2847—Commerce, Justice, Science and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman KEVIN BRADY, Texas 8th Congressional District

Bill Number: H.R. 2847—Commerce, Justice, Science and Related Agencies Appropriations Act, 2010

Project: Sam Houston State University Regional Crime Lab

Account: Office of Justice Programs, Byrne Discretionary Grants

Requesting Entity: Sam Houston State University

Address of Requesting Entity: 1803 Avenue I, Huntsville, TX 77341

Law enforcement agencies in rural communities experience long waits and backlogs when requesting services from major cities like Houston. This request allows Sam Houston State University—one of the nation's foremost criminal justice universities—to use its expertise in forensic science to begin operations of the Regional Crime Laboratory started with funding I previously secured. This lab will provide important forensics services to local law enforcement such as identification of controlled substances, toxicology screening and finger print matching. The lab will be able to service communities in a 75-mile wide area.

The $1,000,000 included in this bill for this project will be allocated to staff the SHSU Regional Crime Lab and make it operational for serving regional law enforcement agencies. Specific budget items include: capital outlays (54%); salaries and benefits for laboratory staff (37%); lab supplies (8%); and subcontracts for staff training (1%).

EARMARK DECLARATION

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. SOUDER. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847—Commerce, Justice, Science, and Related Agencies Appropriations Act, FY2010:

Requesting Member: Congressman MARK SOUDER

Bill Number: H.R. 2847

Account: DOJ, COPS

Legal Name of Requesting Entity: Office of Prosecuting Attorney, Elkhart County

Address of Requesting Entity: 301 South Main Street Suite 100; Elkhart, IN 46516

Description of Request: Elkhart County is the eye of the storm for the Midwest when it comes to methamphetamine. Federal financial assistance on this project will allow Elkhart County to advance a protocol to effectively address Mexican cartels and local meth lab manufacturers that can be used as a model for Any Town, U.S.A. By reducing and/or eliminating organized criminal drug enterprises, confidence in the wellbeing of the community can be restored.

Requesting Member: Congressman MARK SOUDER

Bill Number: H.R. 2847

Account: DOJ, COPS

Legal Name of Requesting Entity: City of Fort Wayne

Address of Requesting Entity: One Main Street; Fort Wayne, IN 46802

Description of Request: As part of its initiative to identify and apprehend criminal suspects, the City of Fort Wayne will obtain and operate an Automatic Fingerprint Identification System (AFIS) for Latent Palm Prints. This new equipment will allow the Fort Wayne Police Department to increase its ability to apprehend criminals and reduce the amount of time officers must spend in investigating crime scenes, testifying in court and filing police reports. Data gathered from around the country has shown that by adding palm print identification capabilities to an AFIS results in immediate positive identification of criminal suspects in 25% of cases. Better, more efficient identification methods will lead to more captures

and prosecutions of criminals, keeping taxpayers and their property safer.

EARMARK DECLARATION

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2009 Omnibus.

Commerce, Justice, Science

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 2847, the FY2010 Commerce, Justice, Science and Related Agencies Appropriations Act

Account: Department of Justice, COPS Law Enforcement Technology account

Legal Name of Requesting Entity: Miami-Dade County Public Schools

Address of Requesting Entity: 1450 NE Second Avenue, Miami, FL 33132

Description of Request: I have secured $600,000 to upgrade law enforcement equipment for the Miami-Dade County Public Schools Police Department. In their mission to protect the children of our community, the MDCPS Police Department has increasingly turned to new technologies. In 2005, laptop computers were purchased through grants and installed in officer's vehicles. These upgrades allow officers to decrease paper-based work by 80% and spend considerably more time at the public schools.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 2847, the FY2010 Commerce, Justice, Science and Related Agencies Appropriations Act

Account: Department of Justice, Juvenile Justice account

Legal Name of Requesting Entity: Florida Venture Foundation

Address of Requesting Entity: 782 NW LeJeune Road, Suite 348, Miami, FL 33126

Description of Request: I have secured $400,000 that will be used to provide economically disadvantaged young adults with the opportunities to obtain educational experience that will enhance their employment skills. The Youthbuild Outreach program complements high school education by providing on-site construction training to at-risk youth. Not only does Youthbuild Outreach help youth in distressed communities with needed skills, upon graduation the program assists in employment referrals and job placement. Local entrepreneurs will contribute to the program through the creation of mentoring and protégé relationships, including peer review groups. This community inclusive effort will benefit the Miami-Dade County and Broward County Public Schools, as well as local unemployment.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 2847, the FY2010 Commerce, Justice, Science and Related Agencies Appropriations Act

Account: Department of Justice, COPS account

Legal Name of Requesting Entity: City of Hialeah

Address of Requesting Entity: 501 Palm Avenue, Hialeah, FL 33010

Description of Request: I have secured $250,000 to enhance the City of Hialeah police department's current radio system which does not allow for radio interoperability among other law enforcement agencies, especially important during times of statewide response to natural disasters, domestic security incidents or multi-agency jurisdictional public safety efforts. The XPS radio system would bridge the current gap and achieve interoperability with the State of Florida by replacing and upgrading fixed end, portable and mobile radio communication equipment.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 2847, the FY2010 Commerce, Justice, Science and Related Agencies Appropriations Act

Account: Department of Justice, Juvenile Justice account

Legal Name of Requesting Entity: ARISE Foundation, Inc.

Address of Requesting Entity: 824 US Hwy 1, Suite 240, North Palm Beach, FL 33408

Description of Request: I have secured $550,000 which will be used to educate at-risk youth. Established in 1986, ARISE has trained over 5,800 certified life skills instructors who have gone on to teach over 4,000,000 documented hours of evidence-based life skills lessons. Specifically targeting high-risk youth, ARISEs goal is to stop the cycle of crime and violence while offenders are young enough to learn life lessons—and ultimately, to reduce rates of recidivism, drug abuse and violence while building skills to keep juveniles in school and out of harm's way. The ARISE Life Management Skills Lessons provide both training and program materials for teaching such lessons to incarcerated youth through interactive methods that help develop positive social and emotional skills needed to break the cycle of violence and crime that would otherwise doom many of today's juvenile offenders. Further, it provides demonstrable outcome measures on the value of expanding this statistically proven, award-winning, professionally managed intervention program.

Requesting Member: Congressman LINCOLN DIAZ-BALART

Bill Number: H.R. 2847, the FY2010 Commerce, Justice, Science and Related Agencies Appropriations Act

Account: Department of Justice, Byrne Justice Assistance account

Legal Name of Requesting Entity: Miami-Dade County

Address of Requesting Entity: 111 NW 1st Street, Suite 1032, Miami, FL 33128

Description of Request: I have secured $150,000 to be used for the creation of a mortgage fraud task force (MFTF) national model to train law enforcement individuals in those identified communities which represent the ten highest concentrated areas affected by mortgage fraud. The Miami-Dade County MFTF will serve as a national model based on its proven performance. The national model will be coordinated by Miami-Dade County and administered by the United States Department of Justice. The anticipated benefits include a more effective process of dealing with and prosecuting mortgage fraud in Miami-Dade County and nationwide, and eventually, a decrease in the occurrence of mortgage fraud.

EARMARK DECLARATION

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mrs. BIGGERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

Requesting Member: U.S. Representative JUDY BIGGERT

Bill Number: H.R. 2847

Account: OJP—Byrne Discretionary Grants for Internet Safety Programs

Legal Name of Requesting Entity: The Village of Downers Grove

Address of Requesting Entity: 801 Burlington Ave, Downers Grove, IL 60515

Description of Request: Provide an earmark of $5,000 to fund the implementation of four projects: the Bully Busters Program (4th grade),which focuses on how to handle bullies, including issues related to cyberbullying; the Home Alone Program (5th grade), which is designed for "latchkey" children and includes Internet safety; the Cyberbullying Program (7th grade), which was developed specifically for middle school students and focuses on the consequences of cyberbullying; and the Protecting Your Child From Predators Program, which is specifically for parents and includes a segment about keeping children safe from online threats.

EARMARK DECLARATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. KING of Iowa. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010.

Requesting Member: Congressman STEVE KING

Bill Number H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010

Account: DOJ, COPS Meth

Amount: $200,000

Legal Name of Requesting Entity: Heartland Family Services, Inc.

Address of Requesting Entity: 515 East Broadway, Council Bluffs, IA 51503

Description of Request: The requested funding will be used to continue the development of the Southwest Iowa Methamphetamine Treatment Program, which is a collaborative effort between Heartland Family Services, the Iowa Department of Human Services, the courts, and other social service agencies. It is a clinically managed residential service for substance abuse patients, using Heartland Family Service's established residential treatment and counseling facilities. The program offers women a residential treatment service, and at the same time allows them to continue

parenting their children. Treatment is directed toward applying recovery skills, preventing relapse, promoting personal responsibility and reintegrating the patient into work, education and family life. Services include individual, group and family therapy.

The need for the Southwest Iowa Methamphetamine Treatment Program centers around the epidemic of methamphetamine use. One in three child protective investigations in the Council Bluffs area involves this drug. Some babies are born with methamphetamine in their system, and children are exposed to use of the drug in their home. Some children live in homes where methamphetamine is being manufactured.

This level of care is a missing piece in the substance abuse treatment continuum of care in Southwest Iowa.

This type of residential treatment and targeted case management services will increase the likelihood of successful integration of services and abstinence, or reduced use of substances of abuse and a reduction of harm to the community. The program participant will progress through the described continuum of care, integrating the delivery of services, and through the ability of case managers, will access a vast array of community resources.

Requesting Member: Congressman STEVE KING

Bill Number H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010

Account: DOJ, COPS Meth

Amount: $800,000

Legal Name of Requesting Entity: City of Sioux City Police Department

Address of Requesting Entity: 601 Douglas Street, Sioux City, IA 51101

Description of Request: The requested funds will be used to continue the operations of the Sioux City Police Department's National Training Center (NTC). The NTC maintains a vision of providing the most current and relevant training in the area of narcotics law enforcement. Our mission is to support the overall effort to control and reduce methamphetamine production, trafficking and distribution on the local, regional and national level. The Sioux City Police Department is providing the leadership in developing training now and for the future.

The majority of the training done is geared toward the line level officer or investigator. The NTC not only offers classroom training, but puts an emphasis on scenario based training. This training allows officers to get as close to the real stresses they will be subjected to in a potentially deadly encounter without experiencing the real situation. By giving officers the chance to practice these types of scenarios during training, they will have an experience to draw upon should they find themselves in a similar situation during the course of their duties. These types of training experiences have been shown to increase those officers' chances of survival in a potentially deadly encounter.

With the experience gained through ten years of continuous operation, the training center has been able to make connections with the premier educators and trainers from across the country in fields of expertise related to methamphetamine, prevention, mitigation, enforcement and prosecution. During this period the federal government has made significant investment in the program and the reputation of the National Training Center has grown throughout the country. With the infrastructure in place, an experienced staff and contacts with leading instructors in the field, the National Training Center is ready to continue providing the high level of service law enforcement professionals have come to expect.

EARMARK DECLARATION

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 15, 2009

Mr. DENT. Madam Speaker, pursuant to the House Republican Leadership standards on earmarks, I am submitting the following information regarding projects that are listed in H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, FY2010:

Bill Number: H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, FY2010, Account: NOAA—Operations, Research and Facilities, Title: Delaware River Enhanced Flood Warning System, Legal Name of Requesting Entity: Delaware River Basin Commission, Address of Requesting Entity: 25 State Police Drive, PO Box 7360, West Trenton, NJ, 08628, Description of Request: This funding will be used by the Delaware River Basin Commission (DRBC), in conjunction with NOAA/NWS, USGS and the U.S. Army Corps of Engineers, to enhance the Delaware River Basin's flood warning system through upgrades to the existing precipitation and stream gage network, improvements of flash flood forecasting capabilities, flood warning education and outreach, and increased support of flood coordination.

Bill Number: H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, FY2010, Account: COPS Law Enforcement Technology, Title: Lehigh and Northampton Counties Interoperability Development Project, Legal Name of Requesting Entity: Allentown Police Department, Address of Requesting Entity: 425 Hamilton Street, Allentown, PA, 18101, Description of Request: This funding will be used to develop a cohesive, regional communications network of voice, data and video information sharing. This network will leverage the capabilities of Internet Protocol (IP) transport mechanisms to increase the exchange of all types of data information amongst numerous first responder agencies in the Lehigh Valley area. This project will allow multiple jurisdictions to perform day-to-day public safety operations, task force operations or large scale disaster situations through a seamless exchange of voice and data communications in real time circumstances. Multiple first responder agencies, including the cities of Allentown and Bethlehem, are seeking to achieve interoperability and information sharing within jurisdictions throughout Lehigh and Northampton Counties. The goal of this project is to eliminate technology to technology barriers that prohibit voice and data sharing among neighboring communities in Pennsylvania's third largest metropolitan region. The ability to communicate and share information is critical to reducing crime and creating a safer environment for local residents.

Bill Number: H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, FY2010, Account: Office of Justice Programs, Juvenile Justice, Title: Adventure Challenge Education for Gang Prevention (ACE), Legal Name of Requesting Entity: Valley Youth House Committee, Inc., Address of Requesting Entity: 829 Linden Street, Allentown, PA 18101, Description of Request: This funding will be used to advance an intensive 21-week intervention for youth ages 15–17. The program will benefit young people who are at high risk for gang involvement due to family members' or neighbors' connection with gang activity or the youth's own delinquent behavior. As a result of their involvement in the proposed program, youth will develop positive decision making, problem solving and leadership skills, enhancing their ability to become responsible and productive members of the local community. The ACE program was developed in response to the increasing presence and threat of gang activity in the Lehigh Valley region, including the recent introduction of several national gangs. ACE was piloted as a four-week summer program in 2007 with federal funding through the 222 Corridor Anti-Gang Initiative. This funding would make it possible to repeat the program four times in 2010 and expand it to include an intensive follow-up component to increase impact and ensure that youth are able to sustain progress.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 16, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 17

9 a.m.
Energy and Natural Resources
Business meeting to consider pending energy legislation.
SD–366

10 a.m.
Commerce, Science, and Transportation
Aviation Operations, Safety, and Security Subcommittee
To hold hearings to examine aviation safety, focusing on the role and responsibility of commercial air carriers and employees.
SR–253

Health, Education, Labor, and Pensions
Business meeting to consider Affordable Health Choices Act, subcommittee assignments, and any pending nominations.
SD–430

Judiciary
To hold an oversight hearing to examine the Department of Justice.
SD–226

2 p.m.
Appropriations
Homeland Security Subcommittee
Business meeting to markup proposed budget estimates for fiscal year 2010 for Department of Homeland Security Appropriations bill.
SD–192

Aging
To hold hearings to examine Social Security in the 21st Century.
SH–216

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine the consumer wireless experience.
SR–253

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 409, to secure Federal ownership and management of significant natural, scenic, and recreational resources, to provide for the protection of cultural resources, to facilitate the efficient extraction of mineral resources by authorizing and directing an exchange of Federal and non-Federal land, S. 782, to provide for the establishment of the National Volcano Early Warning and Monitoring System, S. 874, to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico, S. 1139, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and S. 1140, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.
SD–366

3 p.m.
Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for military construction, environmental, and base closure programs.
SR–222

JUNE 18

9:30 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the President's proposal to modernize the financial regulatory system.
SH–216

Environment and Public Works
Business meeting to consider S. 787, to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States, S. 878, to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, S. 937, to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, S. 690, to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act, S. 479, to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network, and S. 933, to amend the Federal Water Pollution Control Act and the Great Lakes Legacy Act of 2002 to reauthorize programs to address remediation of contaminated sediment.
SD–406

Appropriations
Transportation, Housing and Urban Development, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the Department of Transportation.
SD–138

10 a.m.
Judiciary
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, S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 1107, to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and the nominations of Tristram J. Coffin, of Vermont, to be United States Attorney for the District of Vermont, Joyce White Vance, of Alabama, to be United States Attorney for the Northern District of Alabama, and Preet Bharara, of New York, to be United States Attorney for the Southern District of New York.
SD–226

Small Business and Entrepreneurship
Business meeting to markup S. 1233, to reauthorize and improve the SBIR and STTR programs and for other purposes, and S. 1229, to reauthorize and improve the entrepreneurial development programs of the Small Business Administration.
SR–428A

10:15 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the United States Army Corps of Engineers and the Bureau of Reclamation.
SD–192

10:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings to receive testimony from outside witnesses.
SD–124

2 p.m.
Foreign Relations
To hold closed hearings to examine treaty negotiations with Russia.
Room to be announced

Commission on Security and Cooperation in Europe
To hold hearings to examine upcoming Kyrgyzstan elections.
1539, Longworth Building

2:30 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for United States Special Operations Command.
SR–222

Homeland Security and Governmental Affairs
To hold hearings to examine state business incorporation practices, focusing on the Incorporation Transparency and Law Enforcement Assistance Act.
SD–342

Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings to examine freight transportation in America, focusing on options for improving the nation's network.
SR–253

3 p.m.
Appropriations
Business meeting to markup the Homeland Security and Legislative Branch Appropriations Bills and the 302(b) Allocations for fiscal year 2010.
SD–106

3:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
S–407, Capitol

JUNE 22

3 p.m.
Banking, Housing, and Urban Affairs
Securities, Insurance and Investment Subcommittee
To hold hearings to examine over-the-counter derivatives, focusing on modernizing oversight to increase transparency and reduce risks.
SD–538

JUNE 23

9:30 a.m.
Armed Services
Personnel Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2010.
SR–232A

10 a.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine religious liberty, media freedom, and the rule of law in Russia.
SVC–203/202

10:30 a.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine S. 845, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.
SD–226

11 a.m.
Armed Services
Airland Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2010.
SR–222

2 p.m.
Armed Services
Strategic Forces Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2010.
SR–222

3:30 p.m.
Armed Services
Readiness and Management Support Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2010.
SR–232A

5:30 p.m.
Armed Services
SeaPower Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2010.
SR–222

JUNE 24

9:30 a.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2010.
SR–232A

Veterans' Affairs
To hold an oversight hearing to examine the Department of Veterans Affairs quality management activities.
SR–418

2:30 p.m.
Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2010.
SR–222

JUNE 25

9:30 a.m.
Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2010.
SR–222

JUNE 26

9:30 a.m.
Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2010.
SR–222

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6573–S6609

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 1258–1266, and S. Con. Res. 27. **Pages S6580–81**

Measures Reported:

S. 685, to require new vessels for carrying oil fuel to have double hulls, with amendments. (S. Rept. No. 111–26) **Page S6580**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader be authorized to sign any duly enrolled bill or joint resolution from Monday, June 15 to Wednesday, June 18, 2009. **Page S6608**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13405 of June 16, 2006, with respect to Belarus, as received during adjournment of the Senate on June 12, 2009; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–23) **Page S6578**

Messages from the House: **Page S6578**

Measures Referred: **Page S6578**

Executive Communications: **Pages S6578–80**

Additional Cosponsors: **Pages S6581–82**

Statements on Introduced Bills/Resolutions: **Pages S6582–S6608**

Additional Statements: **Pages S6577–78**

Adjournment: Senate convened at 1:45 p.m. and adjourned at 4:31 p.m., until 10 a.m. on Tuesday, June 16, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6609.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 2866–2881; and 3 resolutions, H. Con. Res. 154; and H. Res. 546–547 were introduced. **Pages H6805–06**

Additional Cosponsors: **Pages H6806–07**

Reports Filed: Reports were filed today as follows:

H.R. 2765, to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services (H. Rept. 111–154);

H. Res. 544, providing for consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010 (H. Rept. 111–155); and

H. Res. 545, providing for consideration of the conference report to accompany the bill (H.R. 2346) making supplemental appropriations for the fiscal year ending September 30, 2009 (H. Rept. 111–156). **Page H6805**

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker Pro Tempore for today. **Page H6747**

Recess: The House recessed at 12:37 p.m. and reconvened at 2 p.m. **Page H6748**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction: S. 615, to provide additional personnel authorities for the Special Inspector General for Afghanistan Reconstruction; **Pages H6749–50**

Expressing condolences to the citizens of Italy and support for the Government of Italy in the aftermath of the devastating earthquake that struck the Abruzzo region of central Italy: H. Res. 430, amended, to express condolences to the citizens of Italy and support for the Government of Italy in the aftermath of the devastating earthquake that struck the Abruzzo region of central Italy, by a ⅔ yea-and-nay vote of 381 yeas with none voting "nay", Roll No. 336; **Pages H6750–52, H6778–79**

Expressing the sense of the House of Representatives that North Korea should immediately stop any hostile rhetoric and activity towards the Republic of Korea and engage in mutual dialogue to enhance inter-Korean relations: H. Res. 309, amended, to express the sense of the House of Representatives that North Korea should immediately stop any hostile rhetoric and activity towards the Republic of Korea and engage in mutual dialogue to enhance inter-Korean relations; **Pages H6752–56**

Honoring the contributions of Takamiyama Daigoro to Sumo and to United States-Japan relations: H. Res. 479, to honor the contributions of Takamiyama Daigoro to Sumo and to United States-Japan relations; **Pages H6756–57**

Laredo Veterans Post Office Designation Act: H.R. 2325, to designate the facility of the United States Postal Service located at 1300 Matamoros Street in Laredo, Texas, as the "Laredo Veterans Post Office", by a ⅔ yea-and-nay vote of 374 yeas with none voting "nay", Roll No. 337; **Pages H6757–58, H6780**

Kyle G. West Post Office Building Designation Act: H.R. 2422, amended, 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"; **Pages H6758–59**

Agreed to amend the title so as to read: "To designate the facility of the United States Postal Service located at 2300 Scenic Drive in Georgetown, Texas, as the 'Kyle G. West Post Office Building' ". **Page H6759**

Recognizing the significant contributions of Hillel: The Foundation for Jewish Campus Life to college campus communities in the United States and around the world: H. Res. 493, to recognize the significant contributions of Hillel: The Foundation for Jewish Campus Life to college campus communities in the United States and around the world; **Pages H6760–62**

Recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day: H. Res. 428, to recognize the immeasurable contributions of fathers in the healthy development of children, to support responsible fatherhood, and to encourage greater involvement of fathers in the lives of their children, especially on Father's Day; **Pages H6762–63**

Phylicia's Law: H.R. 729, amended, to help keep students safe on school-run, overnight, off-premises field trips, by a ⅔ yea-and-nay vote of 319 yeas to 60 nays, Roll No. 338; **Pages H6763–66, H6780–81**

Recognizing the Winston Churchill Memorial and Library in Fulton, Missouri, as "America's National Churchill Museum": H. Res. 390, amended, to recognize the Winston Churchill Memorial and Library in Fulton, Missouri, as "America's National Churchill Museum", and to commend its efforts to recognize the importance of the historic legacy of Sir Winston Churchill and to educate the people of the United States about his legacy of character, leadership, and citizenship; **Pages H6767–68**

Commending the purpose of the third annual Civil Rights Baseball Game and recognizing the historical significance of the location of the game in Cincinnati, Ohio: H. Res. 530, to commend the purpose of the third annual Civil Rights Baseball Game and to recognize the historical significance of the location of the game in Cincinnati, Ohio; **Pages H6768–70**

Amending title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services: H.R. 2765, amended, to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services; **Pages H6770–73**

Court Security Enhancement Act of 2009: H.R. 2661, amended, to amend title 18, United States Code, to increase the penalty for violations of section 119 (relating to protection of individuals performing certain official duties); and **Pages H6775–76**

Agreed to amend the title so as to read: "To amend title 18, United States Code, to increase the

penalty for violations of section 119 (relating to protection of individuals performing certain official duties), and for other purposes.''. **Page H6776**

Expressing condolences to the families, friends, and loved ones of the victims of the catastrophic explosion at the ConAgra Foods plant in Garner, North Carolina: H. Res. 540, to express condolences to the families, friends, and loved ones of the victims of the catastrophic explosion at the ConAgra Foods plant in Garner, North Carolina, by a ⅔ yea-and-nay vote of 381 yeas with none voting ''nay'', Roll No. 339. **Pages H6776–78, H6781–82**

Committee Resignation: Read a letter from Representative Platts wherein he resigned from the Committee on Oversight and Government Reform, effective today. **Page H6768**

Recess: The House recessed at 5:30 p.m. and reconvened at 6:30 p.m. **Page H6778**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Lieutenant Commander Roy H. Boehm Post Office Building Designation Act: H.R. 2470, to designate the facility of the United States Postal Service located at 19190 Cochran Boulevard FRNT in Port Charlotte, Florida, as the ''Lieutenant Commander Roy H. Boehm Post Office Building''; **Pages H6759–60**

Student Internet Safety Act of 2009: H.R. 780, amended, to amend the Elementary and Secondary Education Act of 1965 to promote the safe use of the Internet by students; and **Pages H6766–67**

Congressional Review Act Improvement Act: H.R. 2247, amended, to amend title 5, United States Code, to make technical amendments to certain provisions of title 5, United States Code, enacted by the Congressional Review Act. **Pages H6773–75**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H6807–14.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H6779, H6780, H6780–81, H6781–82. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:35 p.m.

Committee Meetings

SELECT INTELLIGENCE OVERSIGHT PANEL

Committee on Appropriations: Select Intelligence Oversight Panel met in executive session to hold a hearing on the National Security Agency. Testimony was heard from John C. Inglis, Deputy Director, NSA, Office of the Director of National Intelligence.

SUPPLEMENTAL APPROPRIATIONS ACT OF 2010 CONFERENCE REPORT

Committee on Rules: Granted, by a non-record vote, a rule providing for consideration of the conference report to accompany H.R. 2346, the Supplemental Appropriations Act, 2009. The rule waives all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides that the Chair may postpone further consideration of the conference report to a time designated by the Speaker. Testimony was heard from Chairman Obey.

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS

Committee on Rules: Granted, by a record vote of 7–3, a rule providing for consideration of H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010. The rule provides for one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI. The rule makes in order only those amendments that are received for printing in the Congressional Record not later than June 15, 2009 or are pro forma amendments for the purpose of debate. Each amendment submitted for printing in the Congressional Record may be offered only by the Member who submitted it for printing or a designee, and each such amendment shall be considered as read. The rule provides one motion to recommit with or without instructions. Finally, the resolution amends clause 9(b)(2) of rule XXI by inserting ''such'' after ''no''. Testimony was head from Representatives Mollohan and Wolf.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 16, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Financial Services and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Small Business Administration and the General Services Administration, 3:30 p.m., SD–138.

Committee on Armed Services: to hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for ballistic missile defense programs; to be possibly followed by a closed session in SVC–217, 9:30 a.m., SD–106.

Subcommittee on Airland, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for Army modernization and management of the Future Combat Systems Program, 2:30 p.m., SR–222.

Subcommittee on SeaPower, to hold hearings to examine the Defense Authorization request for fiscal year 2010 and the Future Years Defense Program for Navy shipbuilding programs, 2:30 p.m., SR–232A.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine new ideas for sustainable development and economic growth, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nomination of Inez M. Tenenbaum, Chair, Consumer Product Safety Commission (CPSC), 10:30 a.m., SR–253.

Full Committee, to hold hearings to examine the nominations of Julius Genachowski, of the District of Columbia, to be Chairman, and Robert Malcolm McDowell, of Virginia, to be a Member, both of the Federal Communications Commission, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: business meeting to consider pending energy legislation, 10:15 a.m., SD–366.

Subcommittee on National Parks, to hold hearings to examine the President's proposed budget request for fiscal year 2010 for the National Park Service and proposed expenditures under the American Recovery and Reinvestment Act, 2:30 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the status and progress of New Orleans hurricane and flood prevention and coastal Louisiana restoration, 2:30 p.m., SD–406.

Committee on Finance: to hold hearings to examine climate change legislation, focusing on tax considerations, 10 a.m., SD–215.

Committee on Foreign Relations: business meeting to consider S. 962, to authorize appropriations for fiscal years 2009 through 2013 to promote an enhanced strategic partnership with Pakistan and its people, S. Res. 182, recognizing the democratic accomplishments of the people of Albania and expressing the hope that the parliamentary elections on June 28, 2009, maintain and improve the transparency and fairness of democracy in Albania, S. Con. Res. 23, supporting the goals and objectives of the Prague Conference on Holocaust Era Assets, S. Res. 153, expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras, and the nominations of Eric P. Schwartz, of New York, to be Assistant Secretary for Population, Refugees, and Migration, Andrew J. Shapiro, of New York, to be Assistant Secretary for Political-Military Affairs, Ellen O. Tauscher, of California, to be Under Secretary for Arms Control and International Security, Kurt M. Campbell, of the District of Columbia, to be Assistant Secretary of State for East Asian and Pacific Affairs, Eric P. Goosby, of California, to be Ambassador at Large and Coordinator of United States Government Activities to Combat HIV/AIDS Globally, Bonnie D. Jenkins, of New York, for the rank of Ambassador during her tenure of service as Coordinator for Threat Reduction Programs, and a promotion list in the Foreign Service, 2:15 p.m., S–116, Capitol.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine pandemic influenza preparedness and the federal workforce, 10 a.m., SD–342.

Full Committee, business meeting to consider the nomination of Jeffrey D. Zients, of the District of Columbia, to be Deputy Director for Management, Office of Management and Budget, 11:45 a.m., S–216, Capitol.

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine cell phone text messaging rate increases and the state of competition in the wireless market, 2:30 p.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., S–407, Capitol.

House

Committee on Appropriations, Subcommittee on Military Construction, Veterans Affairs and Related Agencies, to mark up appropriations for fiscal year 2010 for Military Construction, Veterans Affairs and Related Agencies, 9 a.m., H–140 Capitol.

Subcommittee on Transportation, Housing and Urban Development and Related Agencies, on FAA: FY2010 Budget and Next Generation Air Transportation System, 9:30 a.m., 2358–A Rayburn.

Committee on Armed Services, to mark up the following bills: H.R. 2647, National Defense Authorization Act for Fiscal Year 2010; H.R. 477, Federal Efficiency and Performance Act of 2009; and H.R. 478, Federal Agency Performance Review and Efficiency Act, 10 a.m., 2118 Rayburn.

Committee on Education and Labor, hearing on The Future of Learning: How Technology is Transforming Public Schools, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications, Technology and the Internet, hearing on draft legislation to reauthorize the Satellite Home Viewer Act, 10 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "Terminations of Individual Health Policies by Insurance Companies," 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, hearing entitled "Systemic Risk and Insurance," 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled "H.R. 2336, GREEN Act of 2009," 2 p.m., 228 Rayburn.

Committee on Foreign Affairs, Subcommittee on Europe, hearing on Strengthening the Transatlantic Alliance: An

Overview of the Obama Administration's Policies in Europe, 1:30 p.m., 2172 Rayburn.

Subcommittee on International Organizations, Human Rights and Oversight, hearing on Exploring the Nature of Uighur Nationalism: Freedom Fighters or Terrorists? 9 a.m., 2172 Rayburn.

Committee on Homeland Security, hearing on H.R. 2868, Chemical Facility Antiterrorism Act of 2009, 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on Bankruptcy Judgeship Needs, 11 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 2055, Pacific Salmon Stronghold Conservation Act of 2009; and H.R. 2565, National Fish Habitat Conservation Act, 10 a.m., 1334 Longworth.

Subcommittee on National Parks, Forest and Public Lands, and the Subcommittee on Water and Power, joint oversight hearing entitled ''Mountain Pine Beetle: Strategies for Protecting the West,'' 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Government Management, Organization and Procurement, hearing entitled ''The State of Federal Contracting: Opportunities and Challenges for Strengthening Government Procurement and Acquisition Policies,'' 9 a.m., 2154 Rayburn.

Subcommittee on National Security and Foreign Affairs, hearing entitled ''U.S. Contributions to the Response to Pakistan's Humanitarian Crisis: The Situation and the Stakes,'' 2 p.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Energy and Environment, to mark up the following bills: H.R. 2693, Federal Oil Spill Research Program Act; H.R. 2729, to authorize the designation of National Environmental Research Parks by the Secretary of Energy; and H.R. 1622, To provide for a program of research, development, and demonstration on natural gas vehicles, 10 a.m., 2318 Rayburn.

Subcommittee on Technology and Innovation, and the Subcommittee on Research and Science Education, joint hearing on Agency Response to Cyberspace Policy Review, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, to continue hearings on Agency Budgets and Priorities for FY2010, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on Endoscopy Procedures at the VA: What Happened, What Has Changed? 10:30 a.m., 340 Cannon.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine instability in North Caucasus in Russia, 10 a.m., 1539, Longworth Building.

Next Meeting of the SENATE

10 a.m., Tuesday, June 16

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will resume consideration of the motion to proceed to consideration of S. 1023, Travel Promotion Act, and after a period of debate, vote on the motion to invoke cloture thereon.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, June 16

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 403—Homes for Heroes Act of 2009; (2) S. 614—A bill to award a Congressional Gold Medal to the Women Airforce Service Pilots; (3) H.R. 1674—National Consumer Cooperative Bank Act Amendments of 2009. Consideration of the conference report to accompany H.R. 2346—Supplemental Appropriations Act, 2009 (Subject to a Rule).

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