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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 (Mr. CLAY).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 29, 2009.

I hereby appoint the Honorable WM. LACY CLAY 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair notes a disturbance in the gallery in contravention of the law and rules of the House.

The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

RECOVERY ACT HAS INCREASED GDP

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

Mr. CONNOLLY of Virginia. Mr. Speaker, this summer many of my colleagues on the other side of the aisle lined up to criticize the Recovery and Reinvestment Act on the floor of the House claiming it wasn't working. In an August 21 newsletter, the minority leader stated, ''By any objective measure, the trillion-dollar 'stimulus' spending bill isn't working.''

Let's examine some of those objective measures:

The number of new unemployment claims dropped in August, for the lowest total of the year. In addition, the number of people claiming continuing unemployment benefits for more than 1 week decreased by 123,000. Unemployment remains a challenge, because, as we all know, unemployment is a lagging indicator. But because of the Recovery Act, we have saved 1 million jobs that otherwise would have been lost in this economy.

This June, home sales increased by 11 percent over May, the largest increase over 8 years. And total home sales this year have increased by 3.4 percent over 2008, indicating that the housing market is stabilizing.

After declining by 0.1 percent in the last economic quarter of the Bush administration, U.S. productivity growth has increased 6.6 percent in the most recent quarter.

The manufacturing sector is improving. Orders for durable goods were up 4.9 percent in July, the largest increase in 2 years, and has risen in 3 of the past 5 months.

The Consumer Confidence Index rose once again in August to 54.1, more than double the February low of 25, demonstrating that consumers are viewing the economy in an increasingly positive light.

The Dow Jones Industrial Average has grown more than 11 percent this year, returning value to 401(k)s and college funds of American families. We know there is a lot more to be done, but even Republican economists have stated the stimulus is working.

Mark Zandi, the economic adviser to JOHN MCCAIN's Presidential campaign last year, said that the stimulus has contributed to GDP growth. He stated, ''As the fiscal stimulus provides its maximum benefit in the next few months, real GDP should turn from negative to positive in the current quarter.'' Current projections show that the Recovery Act increased GDP by 2.3 percent this year.

When we voted on the Recovery Act this winter, economists from across the political spectrum emphatically stated that a fiscal stimulus was essential. Dr. Zandi, for example, stated, ''The stimulus plan as laid out will provide a vital boost to a flagging economy.'' President Reagan's chief economic adviser Martin Feldstein testified before a joint House and Senate committee that a large fiscal stimulus would be essential to avoid catastrophic unemployment. Ben Bernanke, the Republican-appointed Chairman of the Federal Reserve stated, ''The incoming administration and Congress are currently discussing a substantial fiscal package that, if enacted, could provide a significant boost to economic activity.'' Since then, that same Chairman has said explicitly that the stimulus bill for the recovery is, in fact, responsible for a large part of that recovery.

Dr. Zandi, Dr. Feldstein, and Chairman Bernanke were all right, as the objective data now shows.

My friends on the other side of the aisle have made a decision to oppose virtually every initiative of President Obama no matter what the substance or content. Now, as President Obama sets to reform our broken health care system, they are at it once again, refusing to play a constructive role in the process.

President Obama has worked toward a bipartisan solution for health care and has made a number of positive

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overtures to incorporate several concepts proposed by the Republican side of the aisle. For example, he committed to tort reform. He embraced Senator JOHN MCCAIN's initiative on providing low-cost protection for individuals with preexisting medical conditions. He pledged to work with any serious effort to improve and provide more affordable, accessible health care for all Americans. Despite the fact that the President has incorporated Republican ideas and proposals into his plan, the other side still refuses to work with him. Their plan: Just say, ''no.''

When faced with the largest recession since World War II, the American people didn't want partisan bickering; they wanted solutions. With the Recovery Act and other stabilizing measures, we have enacted those solutions, and we have seen positive results. Our economic recovery efforts are working. But the Republicans just said, ''no.''

The need for health care reform is clear. Health insurance premiums over the past decade have increased three times greater than incomes, and they will increase 5 percent more this year. Millions of Americans with preexisting medical conditions are finding themselves unable to access health care even if they have health insurance. A recent survey by the Kaiser Family Foundation revealed that without reform, 8 percent of businesses will drop health insurance for their employees altogether. And still, Republicans are saying, ''no.''

When providing affordable and accessible health care, the American people will not accept ''no'' for an answer any longer. They want to hear us say, ''yes.''

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 38 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. TONKO) at 2 p.m.

PRAYER

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

Have we hardened our hearts, O Lord?

You have said: ''If today you hear the voice of the Lord, harden not your hearts.''

Once the heart is deadened by indifference to Your Word or to the cry of a neighbor in need, where do we find ourselves? Alone and cold.

How are we to find happiness? Only love can melt the hardened heart.

When the adventure of sensual love has run its course or unfaithful love stabs betrayal, the heart may become paralyzed or broken.

In the stillness, Lord, quiet memory brings us back to You. Believing we are born out of love and have searched for its fulfillment all life long, moments of true love once found in truth and beauty fall into place. Your grace then steps through the open cracks and we come to know by heart:

''I am with you''—now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Arizona (Mrs. KIRKPATRICK) come forward and lead the House in the Pledge of Allegiance.

Mrs. KIRKPATRICK of Arizona 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.

COMMUNICATION FROM THE HONORABLE PATRICK MCHENRY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable PATRICK MCHENRY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 28, 2009.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for deposition testimony issued by the District court of Caldwell, State of North Carolina in connection with a civil case now pending in the same court.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

PATRICK T. MCHENRY,
Member of Congress.

WE MUST RETURN TO BALANCED BUDGETS AND PAY DOWN OUR NATIONAL DEBT

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I first want to welcome two people from my district who are in the House gallery today, Ken and Teresa Lamont from Cottonwood, Arizona.

Welcome to the House.

The time is now to develop a plan for the United States to return to balanced budgets and pay down our national debt.

Yes, these are difficult decisions to make. However, the folks in my district and across the country are tightening their belts and doing more with less. It is time for Congress to work with the Federal Reserve and the Treasury to develop plans to do the same before it is too late.

We must take this work seriously and remain committed. Our country, our security, and our future depend on it.

I ask that my colleagues from both sides of the aisle join me in this effort.

DANCING WITH THE CZARS

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

Mr. POE of Texas. Mr. Speaker, we have 44 czars in America and the dance card keeps growing. The new czar for the day is the safe schools czar.

Add that to the Afghanistan-Pakistan czar, the AIDS czar, auto recovery czar, behavioral science czar, bailout czar, border czar, car czar, climate change czar, copyright czar, counterterrorism czar, cybersecurity czar, diversity czar, disinformation czar, two economic czars, an education czar, energy czar, food czar, government performance czar, Great Lakes czar, Gitmo closure czar, health care czar, info tech czar, intelligence czar, Latin American czar, Mideast peace czar, Mideast policy czar, pay czar, regulatory czar, religion or God czar, science czar, stimulus czar, Sudan czar, TARP czar, technology czar, trade czar, urban affairs czar, war czar, water czar, weapons czar. And now we have a safe schools czar.

Who are these people, and what do they do? Is this a shadow government?

Since we continue to dance with the czars, it would be nice to know who brought us to the dance.

And that's just the way it is.

HONORING KEITH MORRISON AS AN ANGEL IN ADOPTION

(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 Keith Morrison of Fayetteville, Arkansas, as an Angel in Adoption. Keith is very deserving of this honor and recognition because of his work and dedication to finding children from around the world permanent families.

Working as an attorney since 1984, he has represented hundreds of families throughout the United States both in domestic and international adoptions. Morrison also regularly represents private adoption agencies. He continues his work beyond the walls of his office, helping start church adoption ministries and raising funds to support

families with adoption-related expenses. He also regularly counsels others who are considering beginning or working their way through the adoption process. Finally, he and his wife have found fulfillment in adoption, adopting both domestically and internationally.

I commend him for his leadership and his selfless service to unite children with loving families. I'm proud to recognize his effort and accomplishments. And I ask my colleagues today to join with me in honoring Keith and the other Angels who are working to create a better life for children all around the world.

NATIONAL MEDIA FACE CREDIBILITY VOID

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

Mr. SMITH of Texas. Mr. Speaker, the national media don't have a credibility problem; they have a credibility void.

Five out of six Americans see the national news media as ''very or somewhat biased,'' according to a new poll by Sacred Heart University. Six out of seven Americans say the media have their own political and public policy positions and attempt to influence opinion and policy.

Nearly nine out of ten Americans say the media played a strong role in electing Barack Obama as President. Seven in ten say the national media are intent on promoting the Obama presidency. And a majority say the media are promoting the White House's health care plan without criticism.

The poll found that biased reporting is driving away the media's audience. Almost half of Americans have stopped watching a news outlet because of media bias.

If the national media want to keep their remaining audience, they need to restore Americans' trust by giving them the facts, not telling them what to think.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

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

UNITED STATES CIVIL RIGHTS TRAIL SPECIAL RESOURCE STUDY ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 685) to require a study of the feasibility of establishing the United States Civil Rights Trail System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 685

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 ''United States Civil Rights Trail Special Resource Study Act of 2009''.

SEC. 2. SPECIAL RESOURCE STUDY REGARDING PROPOSED UNITED STATES CIVIL RIGHTS TRAIL.

(a) STUDY REQUIRED.—The Secretary of the Interior shall conduct a special resource study for the purpose of evaluating a range of alternatives for protecting and interpreting sites associated with the struggle for civil rights in the United States, including alternatives for potential addition of some or all of the sites to the National Trails System.

(b) CONSULTATION.—The Secretary shall conduct the special resource study in consultation with appropriate Federal, State, county, and local governmental entities.

(c) STUDY REQUIREMENTS.—The Secretary shall conduct the study required under subsection (a) in accordance with section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) and section 5(b) of the National Trails System Act (16 U.S.C. 1244(b)), as appropriate.

(d) STUDY OBJECTIVES.—In conducting the special resource study, the Secretary shall evaluate alternatives for achieving the following objectives:

(1) Identifying the resources and historic themes associated with the movement to secure racial equality in the United States for African Americans that, focusing on the period from 1954 through 1968, challenged the practice of racial segregation in the Nation and achieved equal rights for all American citizens.

(2) Making a review of existing studies and reports, such as the Civil Rights Framework Study, to complement and not duplicate other studies of the historical importance of the civil rights movements that may be underway or undertaken.

(3) Establishing connections with agencies, organizations, and partnerships already engaged in the preservation and interpretation of various trails and sites dealing with the civil rights movement.

(4) Protecting historically significant landscapes, districts, sites, and structures.

(5) Identifying alternatives for preservation and interpretation of the sites by the National Park Service, other Federal, State, or local governmental entities, or private and nonprofit organizations, including the potential inclusion of some or all of the sites in a National Civil Rights Trail.

(6) Identifying cost estimates for any necessary acquisition, development, interpretation, operation, and maintenance associated with the alternatives developed under the special resource study.

(e) REPORT.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the results of the study conducted under subsection (c) and any recommendations of the Secretary with respect to the route.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. 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 bill under consideration.

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

There was no objection.

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

We must never forget the struggle for racial equality that spanned our Nation in the 1950s and the 1960s nor the people who waged that fight to obtain basic civil rights for all Americans.

The many sites linked to the civil rights movement together tell the story of how it profoundly transformed our history.

H.R. 685, as amended, authorizes the National Park Service to complete a Special Resource Study to analyze alternatives and make recommendations for the preservation and the interpretation of these multiple sites, including a possible national Civil Rights Trail linking the sites with common maps, signs, and educational material.

Mr. Speaker, we commend our distinguished colleague, Representative WILLIAM LACY CLAY, for his vision and dedication to this legislation. We support passage of H.R. 685 and urge its adoption by the House today.

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

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

H.R. 685 has been adequately explained by chairwoman BORDALLO, and we thank her for that effort.

We support the legislation with the understanding that the original intent of the bill is being preserved. The National Park Service proposed changes that would have prevented the program from focusing on the history of the movement to overcome slavery and racial discrimination and instead would have directed it to include other political causes, and we appreciate that change.

We agree with the intent of the bill's sponsor, Mr. CLAY, that the trail system tells the story of the struggle for civil rights based on racial equality. We thank Mr. CLAY for his leadership and efforts on those lines and in bringing this bill forward.

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

Ms. BORDALLO. Mr. Speaker, I yield such time as he may consume to the author of this legislation, the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. First of all, I thank the chairwoman, Ms. BORDALLO, as well as the ranking member, Mr. WITTMAN, for their assistance on this legislation.

Mr. Speaker, as the sponsor of this legislation, along with Congressman ZACH WAMP of Tennessee, I am pleased to present H.R. 685 for consideration by

the House today. I also want to thank my good friend, chairman of the Subcommittee on National Parks, Forests and Public Lands, RAÚL GRIJALVA, for guiding this legislation through the committee process.

This legislation will fully recognize the remarkable American story of the struggle for civil rights. That ongoing journey stretches across three centuries through multiple generations and touches every American.

The United States Civil Rights Trail Special Resource Study Act of 2009 would recognize those brave souls who fought to make the promises enshrined in our Constitution ring true. In many places across this Nation and for far too long, that story is still incomplete and remains largely untold.

H.R. 685 would authorize a study by the Secretary of the Interior to determine the feasibility of establishing a national trail system marking the geographic location of historically significant events related to the fight for racial equality in the United States.

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The American civil rights movement challenged the practice of racial segregation in the Nation and achieved equal rights for all American citizens. It is my hope that this bill and the resulting historic civil rights trails will tell the full and sometimes painful story of the struggle for civil rights. The knowledge and understanding gained from the trails will provide this generation and those who follow us with tremendous educational opportunities.

Let me close by urging all of my colleagues to support the bill.

Mr. WITTMAN. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this very important piece of legislation.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in strong support of the United States Civil Rights Trail System Act of 2009. I would like to commend my colleagues and friends, Congressman WILLIAM LACY CLAY and Congressman ZACH WAMP for championing this important legislation.

The fight for civil rights was one of the most significant social and cultural movements in our nation's history. Because of the hundreds and thousands of ordinary people with extraordinary vision who participated in the Civil Rights Movement, we witnessed a nonviolent revolution under the rule of law, a revolution of values and ideas that changed this nation forever. We must ensure that the next generation, and the current generation, learn and do not forget the story of the Civil Rights Movement and the ideals that it strove to achieve. This proposed system of trails, would mark the geographic locations in the United States of historically significant events tied to the struggles for racial equality. I saw firsthand the struggle and the pains that ordinary citizens endured at many of these sites to help break down the walls of segregation and their efforts must be memorialized and never forgotten. It is my hope, and belief, that this trail system will help to educate and inspire the next generation of Civil Rights leaders who still have many fights ahead of them. This act will help to preserve and protect the legacy and the story of the Movement for future generations and I urge all of my colleagues to support it.

Mr. WAMP. Mr. Speaker, I rise today in support of H.R. 685, the United States Civil Rights Trail Act. I joined with my colleague, Mr. CLAY, to introduce this legislation.

From 1954 through 1968, many significant events of the Civil Rights Movement took place in the United States. On February 1, 1960, in Greensboro, North Carolina, four courageous African-American students from the North Carolina Agricultural and Technical College took their seats at the lunch counter of the F. W. Woolworth Company, but the store refused to serve them at the counter. One of the students stated that, "We believe, since we buy books and papers in other parts of the store, we should get served in this part." Over the next several days, they sat peacefully at the lunch counter in quiet protest, and close to a hundred others joined them. Soon, thousands across the South joined the students' protest and conducted lunch counter sit-ins of their own.

While many may only think of events that occurred in southern and eastern States, there were important events in other parts of the country where individuals overcame injustice. In Washington, D.C., in 1961, 13 individuals of different races, known as the Freedom Riders, boarded a bus bound for New Orleans, Louisiana, in an attempt to desegregate places of public accommodations. Their courage and sacrifice led to the desegregation of all public places under Title II of the Civil Rights Act of 1964. To learn more about other events, the Civil Rights Trail System Act would authorize the Secretary of the Interior to study the feasibility of establishing a national trail system to mark locations in the United States (including its territories) of historically significant events related to the struggle for racial equality.

With this study and the help of an advisory committee of experts in historic preservation and African-American history, the Secretary of the Interior would provide information about the many people and places that played such an important role in the Civil Rights Movement for all Americans, and everyone would have the opportunity to stand and breathe the air where history was made. The Secretary would first establish at least six national trails in States where significant civil rights events occurred, with other trails sure to follow as documentation is available.

This legislation provides the U.S. Congress an opportunity to honor those who were a part of a movement that ensured that everyone was created equal and that everyone had the freedom to achieve the American dream. The trail system would serve as a marker for how far our country has come and would remain for future generations so that our history is accurate and instructive on all that is necessary for justice and equality to reign down on our land.

Mr. Speaker, I urge all my colleagues to support this important legislation.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in support of H.R. 685, the United States Civil Rights Trail System Act of 2009. This legislation would direct the Archivist of the United States to conduct a study of the feasibility of establishing the United States Civil Rights Trail System. The State of Georgia is home to numerous historic civil rights landmarks including Albany, Georgia, home to the Albany Movement, which was led by Dr. Martin Luther King Jr., and Savannah, Georgia, which desegregated public and private facilities eight months ahead of federal civil rights legislation. Savannah was once described as the most desegregated city south of the Mason-Dixon Line. I strongly support H.R. 685 and I urge my colleagues to support this important resolution.

H.R. 685 simply seeks to unify our nation's civil rights landmarks through maps and other resources. This will facilitate remembrance of the struggles for civil rights based on racial equality as well as provide information about the ordinary individuals, some of whom gave up their lives, for the right to equal rights. The civil rights landmarks highlighted in this trail signify to a period that many here today are too young to remember, and would be held as a tribute to a historic era. By chronicling such historic civil rights landmarks including the Montgomery Bus Boycotts, the Greensboro sit-in, and the historic marches from Selma to Montgomery, Alabama, we can bring true recognition to the numerous historical sites that led to the passage of the Civil Rights Act of 1964, and the Voting Rights Act of 1965. It is my hope that in the future, we can truly create equality for all. This is an important issue and I applaud the efforts of this Congress to emphasize the importance of civil rights landmarks around the country.

Ms. BORDALLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 685, 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 require the Secretary of the Interior to conduct a special resource study regarding the proposed United States Civil Rights Trail, and for other purposes.".

A motion to reconsider was laid on the table.

BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2442

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 "Bay Area Regional Water Recycling Program Expansion Act of 2009".

SEC. 2. PROJECT AUTHORIZATIONS.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by adding at the end the following:

"SEC. 16___. CCCSD-CONCORD RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Central Contra Costa Sanitary District, California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,800,000.

"SEC. 16___. CENTRAL DUBLIN RECYCLED WATER DISTRIBUTION AND RETROFIT PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Dublin San Ramon Services District, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,150,000.

"SEC. 16___. PETALUMA RECYCLED WATER PROJECT, PHASES 2A, 2B, AND 3.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Petaluma, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $6,000,000.

"SEC. 16___. CENTRAL REDWOOD CITY RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Redwood City, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $8,000,000.

"SEC. 16___. PALO ALTO RECYCLED WATER PIPELINE PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Palo Alto, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $8,250,000.

"SEC. 16___. IRONHOUSE SANITARY DISTRICT (ISD) ANTIOCH RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Ironhouse Sanitary District (ISD), California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,000,000.''.

(b) PROJECT IMPLEMENTATION.—In carrying out sections 1642 through 1648 of the Reclamation Wastewater and Groundwater Study and Facilities Act and the sections added to such Act by subsection (a), the Secretary shall enter into individual agreements with the San Francisco Bay Area Regional Water Recycling implementing agencies to fund the projects through the Bay Area Clean Water Agencies (BACWA) or its successor, and shall include in such agreements a provision for the reimbursement of construction costs, including those construction costs incurred prior to the enactment of this Act, subject to appropriations made available for the Federal share of the project under sections 1642 through 1648 of the Reclamation Wastewater and Groundwater Study and Facilities Act and the sections added to such Act by subsection (a).

(c) CLERICAL AMENDMENTS.—The table of contents of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. prec. 371) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by inserting after the item relating to section 1648 the following new items:

''Sec. 16____. CCCSD-Concord recycled water project.

''Sec. 16____. Central Dublin recycled water distribution and retrofit project.

''Sec. 16____. Petaluma recycled water project, phases 2a, 2b, and 3.

''Sec. 16____. Central Redwood City recycled water project.

''Sec. 16____. Palo Alto recycled water pipeline project.

''Sec. 16____. Ironhouse Sanitary District (ISD) Antioch recycled water project.''.

SEC. 3. MODIFICATION TO AUTHORIZED PROJECTS.

(a) ANTIOCH RECYCLED WATER PROJECT.—Section 1644(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–27) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by striking ''$2,250,000'' and inserting ''$3,125,000''.

(b) SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY.—Section 1648(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–31) (as amended by section 512(a) of the Consolidated Natural Resources Act of 2008) is amended by striking ''$8,250,000'' and inserting ''$13,250,000''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair now recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 2442, introduced by our colleague, Representative GEORGE MILLER of California, would authorize six projects as part of the Bay Area Regional Water Recycling Program. When completed, these projects are expected to create up to 14,470 acre-feet of recycled water.

At a time, Mr. Speaker, when imported water in California is unreliable, the Title XVI water recycling program is a tool that communities can use to create a reliable local supply to meet future demands for both northern and southern California and across the West.

So I ask my colleagues to support passage of this very important legislation.

I reserve the balance of my time.

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

Mr. Speaker, the chairwoman has adequately described the legislation, and as my colleagues know, areas throughout the West are experiencing significant drought. Communities are faced with overcoming long-term water shortages as a result, and some communities have built water storage reservoirs while others have sought alternative water supplies through water recycling. This bill seeks to assist the bay area of California to help construct water recycling facilities.

Mr. GEORGE MILLER of California. Mr. Speaker, I want thank Chairwoman NAPOLITANO and Chairman RAHALL for bringing this legislation to the floor, and thank Ranking Members HASTINGS and MCCLINTOCK for their consideration.

This bill, H.R. 2442, represents a very exciting opportunity for California. With the Bay Area Regional Water Recycling Program Expansion Act of 2009, we are bringing an innovative new program online that reduces our state's demands for fresh water from the Bay-Delta.

The six new water reuse projects authorized in today's legislation are projected to save 2.6 billion gallons of water per year.

The six water projects contained this bill add enough water to the system to meet the needs of 24,225 households—that's the equivalent to serving every household in Pittsburg and most in Bay Point.

These projects will help the cities of Concord, Dublin, Petaluma, Redwood City, Antioch, and throughout the Palo Alto area including Stanford University.

But more importantly, these water projects will help the state as a whole.

This bill—and others like it, is a critical piece of the puzzle. We cannot solve California's water situation without a significant investment in recycling wastewater and putting it to beneficial use.

This program is a smart and efficient way to conserve water supplies, lessen our impact on our natural resources, and create jobs and support local businesses.

Today's bill expands on a successful partnership that the Congress has already authorized—in total, the 14 water reuse projects that the Bay Area partnership is building will produce nearly 100,000 acre-feet of water per year.

The bill before us today allows us to take some of the pressure off the Bay-Delta, and it authorizes cities across the Bay Area to join in a strong Federal-State -local partnership that is providing our region a sustainable and reliable clean water supply.

I urge my colleagues to support H.R. 2442.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2442, 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. BROUN of Georgia. 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.

ALLOWING FOR PREPAYMENT OPTION FOR UINTAH WATER CONSERVANCY DISTRICT CONTRACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2950) to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2950

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

SECTION 1. PREPAYMENT OF CERTAIN REPAYMENT CONTRACTS BETWEEN THE UNITED STATES AND THE UINTAH WATER CONSERVANCY DISTRICT.

The Secretary of the Interior shall allow for prepayment of the repayment contract no. 6–05–01–00143 between the United States and the Uintah Water Conservancy District dated June 3, 1976, and supplemented and amended on November 1, 1985, and on December 30, 1992, providing for repayment of municipal and industrial water delivery facilities for which repayment is provided pursuant to such contract, under terms and conditions similar to those used in implementing section 210 of the Central Utah Project Completion Act (Public Law 102–575), as amended. The prepayment—

(1) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this Act was not in effect;

(2) may be provided in several installments to reflect substantial completion of the delivery facilities being prepaid, and any increase in the repayment obligation resulting from delivery of water in addition to the water being delivered under this contract as of the date of enactment of this Act;

(3) shall be adjusted to conform to a final cost allocation including costs incurred by the Bureau of Reclamation, but unallocated as of the date of the enactment of this Act that are allocable to the water delivered under this contract;

(4) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(5) shall be made such that total repayment is made not later than September 30, 2019.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair now recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 2950, as amended, would allow a water district in central Utah to pay off the debt it owes to the Federal Government early. The bill, sponsored by Congressman JIM MATHESON of Utah, has broad bipartisan support.

I ask my colleagues to support passage of this important legislation.

I reserve the balance of my time.

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

Mr. Speaker, today I rise in support of this legislation. This bill would allow the Uintah Water Conservancy District to prepay its contractual commitment to the U.S. Treasury. This prepayment will bring much-needed funds to the Federal Treasury over a 10-year period.

Unfortunately, current Federal law does not allow most water districts with Federal water contracts to prepay their balances. This is similar to prohibiting a homeowner from prepaying a mortgage loan. Congress must enact a law each time a water district wants to prepay its balance on a Bureau of Reclamation project.

For this reason, Water and Power Subcommittee Ranking Member TOM MCCLINTOCK has indicated that he may author general legislation to allow more water districts to prepay their contracts without congressional approval. That would mean that water districts are not saddled with longer-term debts and taxpayers will benefit.

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

Ms. BORDALLO. Mr. Speaker, I yield to the gentleman from Utah (Mr. MATHESON), the author of this legislation, such time as he may consume.

Mr. MATHESON. Mr. Speaker, I would really like to thank Chairman RAHALL for moving this bill so quickly, and folks on both sides of the aisle on the Resources Committee have been very helpful in moving this bill.

As was discussed, this legislation will allow the Uintah Water Conservancy District to better use its resources to prepay its debt to the Federal Government.

Rural counties in Utah—the second-most arid State in the Nation—have a significant need for water that has only increased over time. The water in Uintah County is utilized by both municipalities, irrigators, and manufacturing industries. This bill will move us towards greater assurance of the development of water supplies in that part of our State.

I will just point out the Uintah Water Conservancy District has operated and maintained both the Vernal and Jensen units of the Central Utah Project since 1956. It has been around for a long time, and the debt that the county would like to prepay, which is the subject of this legislation, was incurred to construct a water project that is part of the original Central Utah Project.

Now, the district has always made its payments on time, but we have a circumstance now where its capability and its financing create a situation where it makes economic sense for it to prepay its debt; and, interestingly enough, at the same time, the CBO scores this as a positive for the Federal Government as well. So this is one of those classic win-wins, where a local water conservancy district can prepay its debt and do right by its constituents, and it also assists the Federal Government in terms of a positive score from CBO in terms of how it affects the Federal finances as well.

As was mentioned, the bill has broad bipartisan support. I do want to thank everyone on both sides of the aisle—both members and staff on the Resources Committee—for helping us with this.

I would add one other point that the gentleman from Virginia mentioned. It is unfortunate that we have to do a bill every time to allow for this type of prepayment. This is pretty common sense, and a decision in the private sector gets made all the time. And so I would encourage the effort to try to come up with a broader piece of legislation that will allow us to look at this issue in a more extensive way.

I encourage passage of the bill.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this very important piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2950, 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.

LEADVILLE MINE DRAINAGE TUNNEL REMEDIATION ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3123) to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3123

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

SECTION 1. LEADVILLE MINE DRAINAGE TUNNEL REMEDIATION.

(a) SHORT TITLE.—This section may be cited as the ''Leadville Mine Drainage Tunnel Remediation Act of 2009''.

(b) TUNNEL REMEDIATION.—The Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575) is amended as follows:

(1) By striking section 705.

(2) In section 708(a)—

(A) by striking ''(a)'' and inserting ''(a)(1)'';

(B) by striking ''The Secretary shall have'' and inserting ''Except as provided by paragraph (2), the Secretary shall have''; and

(C) by adding at the end the following:

''(2) The Secretary shall participate in the implementation of the operable unit 6 remedy for the California Gulch Superfund Site, including, but not limited to, the following actions:

''(A) Treating water behind any blockage or bulkhead in the Leadville Mine Drainage Tunnel, including surface water diverted into the Tunnel workings as part of the remedy.

''(B) Managing and maintaining the mine pool behind such blockage or bulkhead at a level that precludes surface runoff and releases and minimizes the potential for tunnel failure due to excessive water pressure in the tunnel.''.

(3) In section 708(f), by striking ''and 708'' and inserting '', 708, and 709''.

(4) By adding at the end of title VII the following:

''SEC. 709. TUNNEL MAINTENANCE.

''The Secretary shall take such steps to repair or maintain the structural integrity of the Leadville Mine Drainage Tunnel (LMDT) as may be necessary in order to prevent tunnel failure and to preclude uncontrolled release of water from any portion of the tunnel.''.

(5) In the table of sections contained in section 2—

(A) by striking the item relating to section 705; and

(B) by inserting after the item relating to section 708 the following new item:

''Sec. 709. Tunnel maintenance.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair now recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 3123, introduced by our colleague, Representative DOUG LAMBORN, would direct the Bureau of Reclamation to remedy problems caused by collapses in the Leadville Mine Drainage Tunnel. Due to structural deterioration, contaminated water has backed up in the tunnel, posing a public health threat and an environmental threat.

I ask my colleagues to support the bill's passage.

I reserve the balance of my time.

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

Mr. Speaker, today I rise in support of this legislation offered by our Colorado colleague, DOUG LAMBORN. This legislation has been supported on a bipartisan basis and deserves passage today because it will help prevent a potential human safety disaster in Leadville, Colorado.

The Leadville Mine Tunnel was supposed to be used for a nearby Federal water project; however, it has ended up becoming a public danger because of its potential to burst with chemical-laden water on nearby residents. Since the Federal Government owns this tunnel, it is therefore a Federal responsibility.

I urge my colleagues to support this necessary legislation which fell victim to party politics earlier this year.

Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank my colleague for yielding.

Mr. Speaker, the Leadville Mine Drainage Tunnel was originally constructed by the Federal Bureau of Mines in the 1940s and 1950s to facilitate the extraction of lead and zinc ore for the World War II and Korean war efforts. The Bureau of Reclamation acquired the tunnel in 1959 hoping to use it as a source of water for the Fryingpan-Arkansas project.

With the passage and subsequent signing into law of H.R. 429 during the 102d Congress in 1992, the Bureau of Reclamation constructed and continues to operate a water treatment plant at the mouth of the tunnel. This treatment plant removes metal contaminants from the water.

Groundwater levels at the tunnel have fluctuated in recent years.

□ 1430

In addition, a collapse in the tunnel has increased the tunnel's mine pool significantly, leading to new seeps and springs in the area. Estimates suggest that at one time up to 1 billion gallons of water may have accumulated.

Emergency measures are currently being undertaken by the Environmental Protection Agency and the Bureau of Reclamation to relieve water pressure in the vicinity. However, legislation attempting to address this matter and authorizing the Secretary of the Interior to rehabilitate this tunnel dates back to at least 1976.

In response to the request for action from the local community, I have again worked together with Senator MARK UDALL of Colorado in a bipartisan manner and reintroduced H.R. 3123. The bill would direct the Bureau of Reclamation to relieve water pressure behind blockages in the tunnel, permanently manage the mine pool behind any blockage to prevent any releases of contaminated water, and manage the tunnel in such a way to prevent failure of the structure.

I remind Members that only minor technical changes have been made since this bill was originally passed by the House of Representatives in the previous Congress. I respectfully request each Member to support this legislation. Human safety and environmental integrity need to be appropriately and responsibly addressed.

Ms. BORDALLO. Mr. Speaker, I have no additional requests for time and would inquire of the minority whether they have any additional speakers.

Mr. WITTMAN. Mr. Speaker, the minority has no additional speakers, and with that I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3123, 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.

THUNDER BAY NATIONAL MARINE SANCTUARY AND UNDERWATER PRESERVE BOUNDARY MODIFICATION ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 905) to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 905

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 ''Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) Thunder Bay National Marine Sanctuary and Underwater Preserve in Lake Huron contains more than 100 recorded historic vessel losses.

(2) The areas immediately surrounding the Sanctuary, including the offshore waters of Presque Isle and Alcona Counties, Michigan, contain an equal number of historic vessel losses.

(3) Many of these shipwrecks and underwater cultural resources are popular recreational diving destinations, and all contribute to our collective maritime heritage.

(4) These resources are susceptible to damage from human activities, and must be properly preserved for themselves and to protect the economic viability of their contribution to national and regional economies.

(b) PURPOSES.—The purposes of this Act are—

(1) to expand the Thunder Bay National Marine Sanctuary and Underwater Preserve boundaries to encompass the offshore waters of Presque Isle and Alcona Counties, Michigan and outward to the international border between the United States and Canada; and

(2) to provide the underwater cultural resources of those areas equal protection to that currently afforded to the Sanctuary.

SEC. 3. DEFINITIONS.

In this Act:

(1) SANCTUARY.—The term ''Sanctuary'' means the Thunder Bay National Marine Sanctuary and Underwater Preserve.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

SEC. 4. SANCTUARY BOUNDARY ADJUSTMENT.

(a) BOUNDARY ADJUSTMENT.—Notwithstanding any provision of law or regulation, including section 922.190 of title 15, Code of Federal Regulations, as in effect on the date of the enactment of this Act, the Sanctuary shall consist of the geographic area described in subsection (b).

(b) EXPANDED BOUNDARY ADJUSTMENT.—The area referred to in subsection (a) is all submerged lands, including the underwater cultural resources, lakeward of the mean high waterline, within the boundaries of a line formed by connecting points in succession beginning at a point along the mean high water line located approximately at 45.6262N, 84.2043W at the intersection of the northern Presque Isle and northeastern Cheboygan County boundary, then north to a point approximately 45.7523N, 84.2011W, then northeast to a point approximately 45.7777N, 84.1231W, then due east to the international boundary between the United States and Canada approximately located at 45.7719N, 83.4840W then following the international boundary between the United States and Canada in a generally southeasterly direction to a point approximately 44.5128N, 82.3295W, then due west to a point along the mean high water line located approximately at 44.5116N, 83.3186W at the intersection of the southern Alcona County and northern Iosco County boundary, returning to the first point along the mean high water line.

(c) AUTHORITY TO MAKE MINOR ADJUSTMENTS.—The Secretary may make minor adjustments to the boundary described in subsection (b) to facilitate enforcement and clarify the boundary to the public provided the resulting boundary is consistent with the purposes described in section 2(b).

(d) INCLUSION IN THE SYSTEM.—The area described in subsection (b), as modified in accordance with subsection (c), shall be managed as part of the National Marine Sanctuary System established by section 301(c) of the National Marine Sanctuaries Act (16 U.S.C. 1431(c)), in accordance with that Act.

(e) UPDATED NOAA CHARTS.—The Secretary shall—

(1) produce updated National Oceanic and Atmospheric Administration charts for the area in which the Sanctuary is located; and

(2) include on such charts the boundaries of the Sanctuary described in subsection (b), as modified in accordance with subsection (c).

SEC. 5. EXTENSION OF REGULATIONS AND MANAGEMENT.

(a) REGULATIONS.—The regulations applicable to the Sanctuary codified in subpart R of part 922 of title 15, Code of Federal Regulations, as in effect on the date of the enactment of this Act, shall apply to the geographic area added to the Sanctuary pursuant to section 4, unless the Secretary specifies otherwise by regulation.

(b) EXISTING CERTIFICATIONS.—The Secretary may certify that any license, permit, approval, other authorization, or right to conduct a prohibited activity made pursuant to section 922.194 of title 15, Code of Federal Regulations, that exists on the date of the enactment of this Act shall apply to such an activity conducted within the geographic area added to the Sanctuary pursuant to section 4.

(c) DATE OF SANCTUARY DESIGNATION.—For purposes of section 922.194 of title 15, Code of Federal Regulations, the date of the enactment of this Act shall be deemed to be the date of Sanctuary designation.

(d) MANAGEMENT PLAN.—To the extent practicable, the Secretary shall apply the management plan in effect for the Sanctuary on the date of the enactment of this Act to the geographic area added to the Sanctuary pursuant to section 4.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Thunder Bay National Marine Sanctuary is the only national marine sanctuary located in the Great Lakes. The sanctuary provides protection for more than 100 nationally significant historic shipwrecks in an area of Lake Huron known as ''shipwreck alley,'' but an equal number of historic wrecks lie immediately north and south of the existing sanctuary boundary.

The pending measure would extend the sanctuary's boundary to encompass more than 100 additional shipwrecks and submerged resources and afford to these historic resources the protection, research, education and public outreach capabilities of the National Marine Sanctuaries Act.

This bipartisan legislation, introduced by our colleague, Representative BART STUPAK of Michigan, is strongly supported by the administration, the State of Michigan, the affected counties, the communities, the local chambers of commerce, and the Thunder Bay Sanctuary Advisory Council.

So I ask Members on both sides of the aisle to support its passage.

I reserve the balance of my time.

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

Mr. Speaker, according to testimony on H.R. 905, the Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act, there appears to be broad local support for this expansion. In addition, the legislation does not include any new statutory prohibitions which would prohibit or restrict activities within the sanctuary. However, there have been concerns voiced on this side of the aisle about the potential increased costs of this boundary expansion that expands the current sanctuary by almost nine times its current size.

While the Thunder Bay National Marine Sanctuary is entirely within the waters of the State of Michigan, concern has been raised that the cost of this expansion and any future needs will fall on the Federal Government. Not only will this increase the Federal costs for managing the resources that are entirely within State waters, but it could also have a negative effect on the other national marine sanctuaries.

With that, though, Mr. Speaker, we do thank Mr. STUPAK for his efforts in preserving national marine sanctuaries.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield to the gentleman from Michigan (Mr. STUPAK), the author of this legislation, such time as he may consume.

Mr. STUPAK. Mr. Speaker, I thank the gentlelady for yielding me time.

I introduced H.R. 905, the Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act, to expand the boundaries of the preserve. I want to thank the bill's cosponsors, my Michigan colleagues, Congressmen KILDEE, MCCOTTER and EHLERS. Their support has been instrumental in moving this legislation.

In 1975, Michigan State University, in response to local interest, collected an inventory of shipwrecks located within Lake Huron's Thunder Bay. What they found was that Thunder Bay potentially contained the largest number of historical shipwrecks in the country.

This discovery warranted the establishment of an underwater ''reserve,'' and in 1981, the State of Michigan declared Thunder Bay Michigan's first Great Lakes bottomland preserve.

Following this State recognition, the National Oceanic and Atmospheric Administration designated the Thunder Bay National Marine Sanctuary in 2000, making it the first sanctuary in the Great Lakes.

The sanctuary is a Federal-State partnership with a unique focus on preserving the large collection of underwater cultural resources. These resources consist of 100 shipwrecks spanning more than 200 years of Great Lakes shipping history. In order to study and preserve the cultural resources present at Thunder Bay, in 2005 the National Oceanic and Atmospheric Administration and the State of Michigan established the Great Lakes Maritime Heritage Center in Michigan in Alpena, Michigan.

The Great Lakes Maritime Heritage Center allows visitors to learn about Great Lakes maritime history, explore shipwrecks via live video feeds, and see how archaeologists continue to preserve these historic sites. To continue this positive outcome, the Thunder Bay Sanctuary Advisory Council, a 15-member group representing local interests such as fishermen, the business community, educational institutions and local government, have passed a resolution recommending the sanctuary be expanded.

This legislation is supported by the State of Michigan, the local units of government, and the local chambers of commerce of each county that is affected.

H.R. 905 would extend the sanctuary's boundaries to include the waters off Alcona, Alpena and Presque Isle counties in Michigan and extend the sanctuary east to the international boundary with Canada.

Currently, the sanctuary covers 448 square miles of water and 115 miles of shoreline, protecting 116 shipwrecks. H.R. 905 would increase this area to 3,722 square miles of water and 226 miles of shoreline, adding an additional 180 shipwrecks to the sanctuary. In addition, the legislation would direct NOAA to produce updated charts of the newly designated areas and apply the protection and preservation provisions in the existing management plan to the newly added areas.

By authorizing an expansion of Thunder Bay National Marine Sanctuary, the affected local communities would receive the benefits of having additional historical resources highlighted and preserved, as well as increased tourism, which is an important driver for economic growth of this part of northeastern lower Michigan.

I urge my colleagues to support my legislation. I thank the chairperson and the ranking member for their help and support on this legislation.

Ms. BORDALLO. Mr. Speaker, I have no additional speakers, and I inquire if the minority has any additional speakers.

Mr. WITTMAN. Mr. Speaker, we have no additional speakers, and with that I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this important bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 905, 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. BROUN of Georgia. 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.

CHESAPEAKE BAY SCIENCE, EDUCATION, AND ECOSYSTEM ENHANCEMENT ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1771) to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1771

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 ''Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009''.

SEC. 2. REAUTHORIZATION OF NOAA CHESAPEAKE BAY OFFICE.

Section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (15 U.S.C. 1511d) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''(in this section'' and all that follows and inserting a period;

(B) by amending paragraph (2) to read as follows:

''(2) The Office shall be headed by a Director, who—

''(A) shall have knowledge and experience in research or resource management efforts in the Chesapeake Bay; and

''(B) shall be responsible for the administration and operation of the office and the implementation of this Act.''; and

(C) by striking paragraph (3);

(2) in subsection (b)—

(A) by striking so much as precedes paragraph (1) and inserting the following:

''(b) PURPOSE.—The purpose of this section is to focus the relevant science, research, and resource management capabilities of the National Oceanic and Atmospheric Administration as they apply to the Chesapeake Bay and to utilize the Office to—'';

(B) in paragraph (2), by striking ''Secretary of Commerce'' and inserting ''Administrator'';

(C) in paragraph (3)—

(i) by striking the matter preceding subparagraph (A) and inserting the following:

''(3) coordinate the programs and activities of the various organizations within the National Oceanic and Atmospheric Administration in furtherance of such administration's coastal resource stewardship mission, including—'';

(ii) in subparagraph (A), by striking ''and'' after the semicolon at the end of clause (vi), and by inserting after clause (vii) the following:

''(viii) coastal hazards and climate change; and''; and

(iii) in subparagraph (B), by striking ''and'' after the semicolon at the end of clause (iii), by inserting ''and'' after the semicolon at the end of clause (iv), and by adding at the end the following:

''(v) integrated ecosystem assessments;'';

(D) in paragraph (4)—

(i) by striking ''Environmental Protection Agency'' and inserting ''Chesapeake Executive Council''; and

(ii) by inserting before the semicolon at the end the following: ''as appropriate to further purposes of this section'';

(E) by striking paragraphs (5) and (7);

(F) by redesignating paragraph (6) as paragraph (5); and

(G) by adding at the end the following:

''(6) perform any functions necessary to support the programs referred to in paragraph (3).''; and

(3) by striking subsection (c) and all that follows through the end of the section and inserting the following:

''(c) PROGRAM ACTIVITIES.—

''(1) IN GENERAL.—The Administrator, through the Director, shall implement the program activities authorized by this subsection to support the activity of the Chesapeake Executive Council and to further the purposes of this section.

''(2) ENSURING SCIENTIFIC AND TECHNICAL MERIT.—The Director shall—

''(A) establish and utilize an effective and transparent mechanism to ensure that projects funded under this section have undergone appropriate peer review; and

''(B) provide other appropriate means to determine that such projects have acceptable scientific and technical merit for the purpose of achieving maximum utilization of available funds and resources to benefit the Chesapeake Bay area.

''(3) CONSULTATION WITH CHESAPEAKE EXECUTIVE COUNCIL.—The Director shall, in the implementation of the program activities authorized under this section, consult with the Chesapeake Executive Council, to ensure that the activities of the Office are consistent with the purposes and priorities of the Chesapeake Bay Agreement and plans developed pursuant to the Agreement.

''(4) INTEGRATED COASTAL OBSERVATIONS.—

''(A) IN GENERAL.—The Administrator, through the Director, may collaborate with scientific and academic institutions, State and Federal agencies, non-governmental organizations, and other constituents in the Chesapeake Bay watershed, to support an integrated observations system for the Chesapeake Bay consistent with the purposes of subtitle C of title XII of Public Law 111–11 (33 U.S.C. 3601 et seq.).

''(B) SPECIFIC REQUIREMENTS.—To support the system referred to in subparagraph (A) and provide a complete set of environmental information for the Chesapeake Bay, the Director shall—

''(i) coordinate existing monitoring and observing activities in the Chesapeake Bay;

''(ii) identify new data collection needs and deploy new technologies, as appropriate;

''(iii) collect and analyze the scientific information necessary for the management of living marine resources and the marine habitat associated with such resources;

''(iv) manage and interpret the information described in clause (iii); and

''(v) organize the information described in clause (iii) into products that are useful to policy makers, resource managers, scientists, and the public.

''(C) CHESAPEAKE BAY INTERPRETIVE BUOY SYSTEM.—To further the development and implementation of the Chesapeake Bay Interpretive Buoy System, the Director may—

''(i) support the establishment and implementation of the Captain John Smith Chesapeake National Historic Trail;

''(ii) delineate key waypoints along the trail and provide appropriate real-time data and information for trail users;

''(iii) interpret data and information for use by educators and students to inspire stewardship of Chesapeake Bay; and

''(iv) incorporate the Chesapeake Bay Interpretive Buoy System into the Integrated Ocean Observing System regional network of observatories.

''(5) CHESAPEAKE BAY WATERSHED EDUCATION AND TRAINING PROGRAM.—

''(A) IN GENERAL.—The Administrator, through the Director, may establish a Chesapeake Bay watershed education and training program. The program shall—

''(i) continue and expand the Chesapeake Bay watershed education programs offered by the Office immediately before the enactment of the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009;

''(ii) improve the understanding of elementary and secondary school students and teachers of the living resources of the ecosystem of the Chesapeake Bay;

''(iii) provide community education to improve watershed protection; and

''(iv) meet the educational goals of the Chesapeake 2000 Agreement.

''(B) GRANT PROGRAM.—The Director may award grants for the purposes of this paragraph. Grants awarded under this subparagraph may be used to support education and training projects that enhance understanding and assessment of a specific environmental problem in the Chesapeake Bay watershed or a goal of the Chesapeake Bay Program, or protect or restore living resources of the Chesapeake Bay watershed, including projects that—

''(i) provide classroom education, including the development and use of distance learning and other innovative technologies, related to the Chesapeake Bay watershed;

''(ii) provide watershed educational experiences in the Chesapeake Bay watershed;

''(iii) provide professional development for teachers related to the Chesapeake Bay watershed and the dissemination of pertinent education materials oriented to varying grade levels;

''(iv) demonstrate or disseminate environmental educational tools and materials related to the Chesapeake Bay watershed;

''(v) demonstrate field methods, practices, and techniques including assessment of environmental and ecological conditions and analysis of environmental problems;

''(vi) build the capacity of organizations to deliver high quality environmental education programs; and

''(vii) educate local land use officials and decision makers on the relationship of land use to natural resource and watershed protection.

''(C) COLLABORATION.—The Director shall implement the education and training program in collaboration with the heads of other relevant Federal agencies.

''(6) COASTAL AND LIVING RESOURCES MANAGEMENT AND HABITAT PROGRAM.—

''(A) IN GENERAL.—The Administrator, through the Director, may establish a Chesapeake Bay coastal living resources management and habitat program to support coordinated management, protection, characterization, and restoration of priority Chesapeake Bay habitats and living resources, including oysters, blue crabs, and submerged aquatic vegetation.

''(B) ACTIVITIES.—Under the program, the Director may, subject to the availability of appropriations, carry out or enter into grants, contracts, and cooperative agreements and provide technical assistance to support—

''(i) native oyster restoration;

''(ii) fish and shellfish aquaculture that is carried out in accordance with a valid Federal or State permit;

''(iii) establishment of submerged aquatic vegetation propagation programs;

''(iv) the development of programs that protect and restore critical coastal habitats;

''(v) habitat mapping, characterization, and assessment techniques necessary to identify, assess, and monitor restoration actions;

''(vi) application and transfer of applied scientific research and ecosystem management tools to fisheries and habitat managers;

''(vii) collection, synthesis, and sharing of information to inform and influence coastal and living resource management issues; and

''(viii) other activities that the Director determines are appropriate to carry out the purposes of such program.

''(d) REPORTS.—

''(1) IN GENERAL.—The Administrator, through the Director, shall submit a biennial report to the Congress and the Secretary of Commerce on the activities of the Office and on progress made in protecting and restoring the living resources and habitat of the Chesapeake Bay.

''(2) ACTION PLAN.—Each such report shall include an action plan for the 2-year period following submission of the report, consisting of—

''(A) a list of recommended research, monitoring, and data collection activities necessary to continue implementation of the strategy under subsection (b)(2); and

''(B) recommendations to integrate National Oceanic and Atmospheric Administration activities with the activities of the partners in the Chesapeake Bay Program to meet the commitments of the Chesapeake 2000 agreement and subsequent agreements.

''(e) AGREEMENTS.—

''(1) IN GENERAL.—The Administrator, through the Director, may, subject to the availability of appropriations, enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this Act.

''(2) USE OF OTHER RESOURCES.—For purposes related to the understanding, protection, and restoration of Chesapeake Bay, the Director may use, with their consent and with or without reimbursement, the land, services, equipment, personnel, and facilities of any Department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, or of any political subdivision thereof.

''(3) DONATIONS.—The Director may accept donations of funds, other property, and services for use in understanding, protecting, and restoring the Chesapeake Bay. Donations accepted under this section shall be considered as a gift or bequest to or for the use of the United States.

''(f) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the National Oceanic and Atmospheric Administration.

''(2) CHESAPEAKE BAY AGREEMENT.—The term 'Chesapeake Bay Agreement' means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and are signed by the Chesapeake Executive Council.

''(3) CHESAPEAKE EXECUTIVE COUNCIL.—The term 'Chesapeake Executive Council' means the representatives from the Commonwealth of Virginia, the State of Maryland, the Commonwealth of Pennsylvania, the Environmental Protection Agency, the District of Columbia, and the Chesapeake Bay Commission, who are signatories to the Chesapeake Bay Agreement, and any future signatories to that agreement.

''(4) DIRECTOR.—The term 'Director' means the Director of the Office.

''(5) OFFICE.—The term 'Office' means the Chesapeake Bay Office established under this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section—

''(1) $17,000,000 for fiscal year 2011;

''(2) $18,700,000 for fiscal year 2012;

''(3) $20,570,000 for fiscal year 2013; and

''(4) $22,627,000 for fiscal year 2014.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration has taken bold steps to meet the bay's emerging challenges with ecosystem-based science, new coastal management techniques, and an effective environmental literacy program. However, these new priorities are not reflected in the office's existing authorizing statute.

The pending measure, introduced by Mr. SARBANES of Maryland, would realign the office and improve its ability to support ecosystem-based management, research science and education, all of which are very essential in our efforts to restore the Chesapeake Bay.

I ask Members on both sides to support passage of this legislation.

I reserve the balance of my time.

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

Mr. Speaker, today I rise in support of H.R. 1771, the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009, which will authorize a number of programs within the Chesapeake Bay program. I am a cosponsor of H.R. 1771 and strongly support the efforts of my friend, Mr. SARBANES from Maryland. He has been a true leader on bay issues in this effort to improve and extend popular programs in the Chesapeake Bay watershed, which is a tremendous advancement in the effort to preserve the bay.

For example, the bill supports efforts to move forward with the Captain John Smith Chesapeake National Historic Trail. This, the Nation's first all-water historic trail, traces John Smith's 17th-century voyages of discovery in the bay from Jamestown in my district.

The bill also furthers efforts to extend NOAA's smart buoy system that provides real-world weather data and historical interpretation of points of interest along the Captain John Smith Trail. My district includes two of these high-tech buoys. One buoy is located just offshore from the site of the first permanent English settlement in the New World at Jamestown. The second buoy is located off Sting Ray Point in the Rappahannock River. This marks the site where Captain John Smith nearly died from the toxic sting of a sting ray.

Mr. Speaker, these programs highlight the historical and recreational significance of the bay and are extraordinarily important to many of our constituents here in the bay watershed. And, again, I would like to thank Mr. SARBANES for his leadership on bay

issues and thank him for all of his efforts to preserve the bay.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield to the gentleman from Maryland (Mr. SARBANES), the author of this legislation, such time as he may consume.

Mr. SARBANES. Mr. Speaker, I want to thank Chairperson BORDALLO for yielding her time.

I strongly urge, as one would imagine as the original sponsor of this bill, that the Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009 be adopted by the Chamber.

I want to thank Congressman WITTMAN for his cosponsorship of this bill. Congressmen KRATOVIL and CONNOLLY as well have been strong supporters of it. But I do want to emphasize Congressman WITTMAN's commitment to the Chesapeake Bay. He and I have gotten in the habit of, we sort of have a mutual admiration society going here in terms of our commitment to the bay. I think it demonstrates how the health of the Chesapeake Bay and its protection and preservation going forward is really a bipartisan concern. We hope to continue to work together with each other and with other Members in this Chamber to make sure that the Chesapeake Bay is preserved.

Now, the NOAA Chesapeake Bay office that this would reauthorize provides very important and vital scientific research and data, habitat restoration and environmental education, which all play a very critical role in the health of the Chesapeake Bay and its restoration.

□ 1445

There are a number of important provisions; some have been alluded to.

Just to reiterate, this will enhance the Chesapeake Bay Interpretative Buoy System, which provides real-time weather and environmental information like wind speed, temperature, and wave heights to the public, especially to boaters and researchers.

It's got an historical and cultural component as well. I just emailed my staff so they could remind me of the toll free number (877) BUOY–BAY if you want to call and tap into this information on a real-time basis, or you can go to www.buoybay.org. This is an incredible resource for people, particularly for the next generation.

That is another thing this reauthorization will do. It will bolster the Chesapeake Bay watershed education and training program, which we know as the B–WET program which provides hands-on environmental education and teaches young people about how their everyday actions affect the health of the bay.

I'm an author of the No Child Left Inside Act, which is designed to get people, young people, outdoors and into nature. This is the kind of information and data that is then made available to them so that they can really engage firsthand in this effort on behalf of the bay.

And there are many other dimensions of this that strengthen the NOAA Chesapeake Bay office, but let me just close by acknowledging again my real thanks and appreciation for Chairman RAHALL, for Chairperson BORDALLO, for their assistance in getting this through the Natural Resources Committee. Again, a salute to Congressman WITTMAN for his continuing efforts on behalf of the bay.

We're going to turn the corner on the Chesapeake Bay—I have no doubt—and it's because of the data and the information and statistics and other things that are provided by the NOAA office. So reauthorizing that component of the Chesapeake Bay program is absolutely vital to the enterprise, and I urge my colleagues to support the bill today.

Ms. BORDALLO. Mr. Speaker, I would like to yield to the gentleman from Maryland (Mr. KRATOVIL) such time as he may consume.

Mr. KRATOVIL. Mr. Speaker, I rise in support of H.R. 1771, the Chesapeake Bay Science, Education and Ecosystem Enhancement Act, and also, with your permission, Mr. Speaker, H.R. 1053, the Chesapeake Bay Accountability and Recovery Act of 2009, which I believe is next up on the calendar.

Both bills will protect the beauty and utility of the Chesapeake Bay for future generations while building the economic base of districts like Maryland's First District, my district, whose local economies are dependent on the health of the Chesapeake Bay.

By reauthorizing much-needed funding, the Chesapeake Bay Science, Education and Ecosystem Enhancement Act will allow NOAA's Chesapeake Bay office to continue to play a vital role in the management and restoration of the bay.

Additionally, H.R. 1771 will formally authorize NOAA's Bay Watershed Education and Training, B–WET, program that you heard Congressman SARBANES discuss. Since first being established in 2002, this program has provided critical assistance for hands-on watershed education for thousands of students and teachers.

When educators are given the necessary tools to engage their students, the curriculum can foster a lifelong understanding about the importance of the bay and create future generations of stewards committed to its health and beauty.

In the short term, the bill will expand the technical assistance that NOAA can offer watermen who practice emerging aquaculture techniques. Many watermen have found success with aquaculture that has led to an increase in both the clam and oyster populations. This bill will build on these successes, keeping the seafood industry viable and protecting the overall ecosystem of the Chesapeake Bay.

Support of the legislation will help ensure the vitality of our natural resources throughout the bay in the long term, and I thank again my colleague from Maryland, Congressman SARBANES, for introducing this bill.

Similarly, H.R. 1053, the Chesapeake Bay Accountability and Recovery Act, is legislation that will protect one of our national treasures and North America's largest estuary while applying financial responsibility and accountability practices to the funds that we appropriate to do so, and I want to thank Congressman WITTMAN for his leadership on this. As Congressman SARBANES said, he's been a leader on a number of issues related to the bay, and I congratulate him on it.

This legislation institutes performance-based measures to ensure that dollars spent on restoration activities are producing results. Every dollar we spend on the bay is money well spent, but not if we fail to track these dollars in order to determine best practices and eliminate waste and duplicity.

The bill would require the adoption of two methods: crosscut budgeting by the Office of Management and Budget; and adaptive management by the Environmental Protection Agency. These initiatives will provide a comprehensive accounting of all bay restoration activities and would be available to everyone, including Congress. By sharing this information, stakeholders can make better-informed funding decisions.

Adaptive management will provide a means to evaluate the success and efficiency of bay restoration programs. It will increase coordination, reduce overlap, and improve decisionmaking. Financial responsibility is a theme we should apply to every dollar we spend, and that includes protection of the bay. We aren't doing future generations any favors if we protect the health of the Chesapeake Bay but, at the same time, neglect to protect the health of our economy as a whole.

And again, I want to congratulate and thank Congressman WITTMAN from Virginia for introducing the bill.

Mr. Speaker, I urge support of both H.R. 1771 and H.R. 1053.

Mr. WITTMAN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I'd like to recognize Mr. KRATOVIL for his work, too. He is very much a partner in making sure that we restore the bay and put forth the efforts that we need to.

We know that Maryland's First District and Virginia's First District are very, very similar. They have many, many resources in common; they have many needs in common. We all realize that restoring the bay is a good environmental effort, but it's also a good economic effort. We know it's an economic driver. We know the jobs that the bay creates. We know a healthy bay creates more jobs and creates a more vibrant economy, both for our seafood industry and for our tourism industry.

So I appreciate his effort to partner to make sure that we get things done with the bay, and I think it's a great partnership that should stand as an example of how you can, across State

lines and across party lines, work to get things done in the best interests of our natural resources.

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

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, 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. BROUN of Georgia. 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.

CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1053) to require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1053

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 ''Chesapeake Bay Accountability and Recovery Act of 2009''.

SEC. 2. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 3 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;

(K) cost-sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to $100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to $50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this Act for which the President submits a budget to Congress.

SEC. 3. ADAPTIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with other Federal and State agencies, shall develop an adaptive management plan for restoration activities in the Chesapeake Bay watershed that includes—

(1) definition of specific and measurable objectives to improve water quality, habitat, and fisheries;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and other research and evaluation practices;

(4) a process for modification of restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(5) a process for prioritizing restoration activities and programs to which adaptive management shall be applied.

(b) IMPLEMENTATION.—The Administrator shall implement the adaptive management plan developed under subsection (a).

(c) UPDATES.—The Administrator shall update the adaptive management plan developed under subsection (a) every 3 years.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the adaptive management plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including programmatic and project level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this Act.

SEC. 4. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 3 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section the term ''Chesapeake Executive Council'' has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

SEC. 5. DEFINITIONS.

In this Act, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term ''adaptive management'' means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

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

(3) CHESAPEAKE BAY STATE.—The term ''Chesapeake Bay State'' or ''State'' means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term ''Chesapeake Bay watershed'' means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term ''chief executive'' means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(7) RESTORATION ACTIVITIES.—The term ''restoration activities'' means any Federal or State programs or projects that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.
(B) Planning.
(C) Feasibility studies.
(D) Scientific research.
(E) Monitoring.
(F) Education.
(G) Infrastructure Development.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, restoration of Chesapeake Bay continues to be a very important goal for Congress and the administration, yet accounting and oversight is difficult because the restoration activities are managed concurrently by a network of Federal agencies, States, and nongovernmental organizations.

The pending measure introduced by our colleague, Mr. WITTMAN of Virginia, would enhance congressional oversight of restoration activities in Chesapeake Bay by requiring the preparation of a crosscut budget. It would also require the Environmental Protection Agency and other partners to develop and implement a comprehensive adaptive management strategy for restoration activities to ensure that the best available scientific information is incorporated.

So I ask Members, Mr. Speaker, to support H.R. 1053.

I reserve the balance of my time.

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

Mr. Speaker, I would first like to thank Chairman RAHALL, Ranking Member HASTINGS, Mr. BROWN and Ms. BORDALLO for working with me to bring this legislation to the floor.

I am honored to represent Virginia's First Congressional District. The First District includes many of the bay's major tributaries and borders much of the Chesapeake's shores. Improving the health of the bay is a priority to me and many of my constituents, and I think most Members of Congress.

As Members have heard on a number of occasions, the health of the Chesapeake Bay is in trouble. While the States and Federal Government continue to fund restoration activities, the news has not been getting much better. It is time we reevaluate our efforts and determine if we can get better results from Federal and State expenditures.

I offered H.R. 1053, the Chesapeake Bay Accountability and Recovery Act, to address these issues and help move forward bay cleanup efforts.

H.R. 1053 would implement and strengthen management techniques like crosscut budgeting and adaptive management to ensure that we get more bang for our buck and continue to make progress in Chesapeake Bay restoration efforts.

Both techniques will ensure that we're coordinating how restoration dollars are spent and making sure that everyone understands how individual projects fit into the bigger picture. That way, we're not duplicating efforts, wasting money, or working at cross purposes.

H.R. 1053 would require the Office of Management and Budget, in coordination with State and Federal agencies involved in the bay, to report to Congress on the status of Chesapeake Bay restoration activities. This legislation would also require the Environmental Protection Agency to develop and implement an adaptive management plan for the Chesapeake Bay and all of its restoration activities.

Finally, on recommendations heard during committee hearings on this bill, we included the creation of an independent evaluator for the bay. An independent evaluator will serve to help implement adaptive management and drive success in the bay program.

I believe that these are key components for the complex restoration activities necessary to truly bring the bay back to a state that we will all be pleased with.

I ask my colleagues to support H.R. 1053.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield to the gentleman from Maryland (Mr. SARBANES) such time as he may consume.

Mr. SARBANES. Mr. Speaker, I want to thank Chairperson BORDALLO again for yielding to me.

I want to urge my colleagues to support H.R. 1053, Congressman WITTMAN's bill. I'm a cosponsor and proud to be one. This is a good way of bringing more of a comprehensive perspective to our efforts on behalf of the Chesapeake Bay.

As many have mentioned, you know, we're talking about the bay, we're talking about a watershed with a tributary system that originates in six States and the District of Columbia, all flowing into the Chesapeake Bay. So we've got a lot of geographic areas to manage and link together, as well as numerous organizations, governmental and nongovernmental organizations, citizens organizations, educational organizations, that are all working on the same goal.

There's only benefit that can be had when you bring this crosscutting perspective in terms of the dollars that are spent, and I want to congratulate Congressman WITTMAN for bringing that kind of discipline to the overall program.

I also just wanted to emphasize the adaptive management strategy, because in a way this dovetails very nicely with the bill we just spoke about regarding reauthorization of the NOAA office, and the reason is that what adaptive management strategies are all about is recognizing if you can adopt a certain strategy to deal with the health of the Chesapeake Bay, and then just put it on a course, it never changes.

□ 1500

Science is always changing, and because science changes, we have to adjust to make sure that our management strategies reflect that science. The very kind of information and data that the NOAA office will be producing because it is reauthorized is the exact kind of data that can be used for this adaptive management approach.

So I think this is a very good and strong bill, and is going to enhance our efforts to protect and preserve and strengthen the Chesapeake Bay over time. I congratulate Congressman WITTMAN for his efforts, and I urge support of the bill.

Mr. WITTMAN. Mr. Speaker, we have no additional speakers, and with that I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I applaud the author of this legislation, Mr. WITTMAN of Virginia, and I again urge Members to support this very important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1053, 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.

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

The yeas and nays were ordered.

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

NATIONAL LIFE INSURANCE AWARENESS MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 16) supporting the goals and ideals of National Life Insurance Awareness Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 16

Whereas life insurance is an essential part of a sound financial plan;

Whereas life insurance provides financial security for families by helping surviving members meet immediate and long-term financial obligations and objectives in the event of a premature death in their family;

Whereas approximately 68,000,000 United States citizens lack the adequate level of life insurance coverage needed to ensure a secure financial future for their loved ones;

Whereas life insurance products protect against the uncertainties of life by enabling individuals and families to manage the financial risks of premature death, disability, and long-term care;

Whereas individuals, families, and businesses can benefit from professional insurance and financial planning advice, including an assessment of their life insurance needs; and

Whereas numerous groups supporting life insurance have designated September 2009 as ''National Life Insurance Awareness Month'' as a means to encourage consumers to—

(1) become more aware of their life insurance needs;

(2) seek professional advice regarding life insurance; and

(3) take the actions necessary to achieve financial security for their loved ones: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of ''National Life Insurance Awareness Month''; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the citizens of the United States to observe the month with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. TURNER) 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 in 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 such time as I may consume.

Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am pleased to present House Resolution 16 for consideration. This resolution expresses our support for the goals and ideals of National Life Insurance Awareness Month.

House Resolution 16 was introduced on January 6, 2009, by my colleague, Representative JUDY BIGGERT of Illinois, and favorably reported out of the Oversight Committee on September 24 by unanimous consent. In addition, this legislation enjoys the bipartisan support of over 50 Members of Congress.

Mr. Speaker, the life insurance industry estimates that approximately 68 million Americans lack sufficient life insurance coverage to safeguard the financial security of their families. Accordingly, House Resolution 16 seeks to increase the awareness regarding the importance of life insurance products to the financial security of American families by supporting the goals and ideals of National Life Insurance Awareness Month.

While preparing for the inevitable may be a difficult task, it is a task that we should all take time to complete. Life insurance products are intended to better insure the financial security and stability of our loved ones by allowing them to meet impending and future financial obligations in the event of a death, disability or other uncertainty in their family. Given the importance of life insurance to sound financial planning, I would encourage all families to review their financial situations and consider life insurance products as a possible safeguard against the financial impact of an unforeseen event.

I'd like to thank the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Pennsylvania (Mr. KANJORSKI) for offering this informative measure, and I urge my colleagues to join me in supporting House Resolution 16.

I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I yield as much time as she may consume to my distinguished colleague from the State of Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman from Ohio (Mr. TURNER) for yielding me the time, and I also want to thank my colleague from Massachusetts (Mr. LYNCH) for managing this resolution.

Mr. Speaker, I rise today to urge my colleagues to support House Resolution 16, which offers support to the goals and ideals of National Life Insurance Awareness Month as recognized this September. I want to thank my friend and colleague, the gentleman from Pennsylvania (Mr. KANJORSKI), for introducing this resolution with me for the sixth year. During previous years the House has passed identical resolutions by voice vote or with as many as 412 ''yes'' votes. This year's resolution has 59 cosponsors from both sides of the aisle.

I also want to thank the gentleman from New York, Chairman EDOLPHUS TOWNS, and the gentleman from California, DARRELL ISSA, for moving this resolution through the Committee on Oversight and Government Reform. And last, I acknowledge and thank Senator SAXBY CHAMBLISS of Georgia and Senator BEN NELSON of Nebraska for introducing a companion resolution in the Senate, Senate Resolution 211, making this a bipartisan, bicameral effort.

Mr. Speaker, life insurance too often is thought of only when it's too late. How many times have we heard friends or loved ones sadly reflecting that the deceased had no life insurance or had too little life insurance? Today, only four in 10 adults in America own individual life insurance policies. And among those who do have life insurance, the amount is often too small to safeguard the financial future of their loved ones. Due to insufficient coverage, many families, upon losing loved ones, often are forced to work extra jobs or longer hours, borrow money, or move to less desirable housing because there was no insurance.

House Resolution 16 calls on the Nation to observe the month of September as Life Insurance Awareness Month, and the issue has been elevated by a broad coalition of providers and advocates, including members of the Life and Health Insurance Foundation for Education, the National Association of Insurance and Financial Advisors, and the American Council of Life Insurers. Our collective goal for the month is to make families more aware of their life insurance needs and encourage them to seek professional advice, as well as take the actions necessary to provide financial security for their loved ones.

Mr. Speaker, many of my colleagues on both the Financial Services Committee and the Education and Labor Committee, especially my colleague from Texas, RUBÉN HINOJOSA, and I have been working very hard to increase the level of financial literacy across the Nation. We recognize that by empowering consumers with the knowledge and understanding of how financial products work and how they can work towards financial security, we are taking a critical step that will help protect consumers from unexpected financial hardships and prepare them to succeed in today's complex financial marketplace. It is my hope that recognizing Life Insurance Awareness Month will help motivate Americans to seek information about the benefits of life insurance so that the premature death of a loved one does not bring with it economic hardships that too often accompany tragedy.

I ask my colleagues to join me in support of the goals and ideals of this year's National Life Insurance Awareness Month.

Mr. TURNER. Mr. Speaker, I urge all Members to support the passage of H. Res. 16, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, in closing, I will simply urge my colleagues to support this measure offered and sponsored by Mrs. BIGGERT of Illinois and also Mr. KANJORSKI of Pennsylvania.

I yield back the balance of my 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 agree to the resolution, H. Res. 16.

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. 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.

HONORING THE LATE JIM JOHNSON

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 693) honoring the life and accomplishments of Jim Johnson and extending the condolences of the House of Representatives to his family on the occasion of his death.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 693

Whereas the City of Philadelphia, Pennsylvania, and the NFL lost one of our greatest treasures yesterday;

Whereas Philadelphia Eagles Defensive Coordinator Jim Johnson passed away on July 28, 2009, after a courageous battle with cancer;

Whereas he was a veteran of 22 years as an NFL assistant;

Whereas Johnson is regarded as one of the top defensive masterminds in NFL history;

Whereas over the last decade, he gained a great deal of praise as the orchestrator of the renowned Eagles defense;

Whereas his aggressive style kept Philadelphia at or near the top of the NFL in nearly every major defensive category since he joined the Eagles staff on January 22, 1999;

Whereas from 2000–08, Johnson's units ranked second in the NFL in sacks (390), 3rd down efficiency (34.0 percent) and red zone touchdown percentage (43.9 percent), and fourth in fewest points allowed (17.7 per game);

Whereas during his 10-year tenure in Philadelphia, the Eagles earned 7 playoff berths, 5 trips to the NFC Championship game, and 1 Super Bowl appearance (following the 2004 season);

Whereas as the Eagles' defensive chief, Johnson's defense has produced 26 Pro Bowl selections, including Brian Dawkins (7), Troy Vincent (5), Jeremiah Trotter (4), Hugh Douglas (3), Lito Sheppard (2), Asante Samuel (1), Trent Cole (1), Michael Lewis (1), Corey Simon (1), and Bobby Taylor (1);

Whereas Head Coach Andy Reid correctly stated that ''He (Johnson) really represented everything this city (Philadelphia) is all about, with his toughness and grit'', ''That's the way he fought this cancer'';

Whereas 4 of his defensive assistants have gone on to successful careers with other NFL franchises, including Steve Spagnuolo (head coach of the St. Louis Rams), John Harbaugh (head coach of the Baltimore Ravens), Ron Rivera (defensive coordinator of the San Diego Chargers), and Leslie Frazier (defensive coordinator of the Minnesota Vikings);

Whereas prior to his tenure in Philadelphia, Johnson served as the linebackers coach with Seattle in 1998;

Whereas that year, Johnson helped the Seahawks register 10 touchdowns on defense, including 8 interceptions returned for scores, second-most in NFL history;

Whereas he arrived in Seattle after a 4-year stint in Indianapolis, spending the last 2 years as defensive coordinator;

Whereas while with the Colts, Johnson helped them secure a berth in the AFC Championship game at Pittsburgh in 1995;

Whereas Johnson spent 8 seasons with the Arizona Cardinals (1986–93);

Whereas after overseeing the Cardinals defensive line for 4 seasons, Johnson excelled as their secondary coach, helping Aeneas Williams become the first rookie cornerback to lead the league in interceptions (6) since 1981;

Whereas Johnson began his coaching career as head coach at Missouri Southern (1967–68), before serving 4-year tenures at Drake and Indiana;

Whereas from 1977–83, Johnson served as defensive coordinator and assistant head coach at Notre Dame, a stint that included a national championship in 1977;

Whereas an all-conference quarterback himself at Missouri, Johnson went on to spend 2 seasons with Buffalo as a tight end (1963–64);

Whereas a native of Maywood, Illinois, Johnson earned a bachelor's degree in education and a master's degree in physical education from Missouri; and

Whereas Johnson is survived by his wife, Vicky, 2 children, Scott and Michelle, and 4 grandchildren, Katie, Justin, Brandon, and Jax: Now, therefore, be it

Resolved, That the House of Representatives honors Jim Johnson and extends condolences to his family on the occasion of his death.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. TURNER) 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 in which to revise and extend their remarks on H. Res. 693.

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

There was no objection.

Mr. LYNCH. Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from Pennsylvania (Mr. BRADY).

Mr. BRADY. Mr. Speaker, I rise to honor a man who will always be known as a great Philadelphian and a great American. Eagles Coach Jimmy Johnson was a man of few words. He always let his game do his talking for him. He was a star quarterback at Missouri and began his coaching career at Missouri Southern. Jim Johnson spent nearly 50 years in football. He coached in the USFL, for the Arizona Cardinals and for the Indianapolis Colts. But he earned the title Genius during 10 seasons coaching in my hometown of Philadelphia.

The Eagles led the league with 48 takeaways, including 28 interceptions, during Mr. Johnson's first season as defensive coordinator. By 2001, when the Eagles went to their first of four straight NFC championship games, the defense was ranked among the best in the NFL in almost every category. And they remain an elite unit today. In Coach Johnson's final season, the team had the NFC's top-ranked defense and earned yet another trip to the NFC title game.

The Eagles' defense had 26 Pro Bowl selections during Mr. Johnson's tenure, including seven by safety Brian Dawkins. The team played in five NFC championship games and one Super Bowl, and won five NFC East titles.

And his greatest legacy hasn't yet been written. Coach has seeded the league with his disciples. Many of his former assistants are coaching across the country, including Steve Spagnuolo, the head coach of the St. Louis Rams, and John Harbaugh, head coach of the Baltimore Ravens. Coach Johnson could have been a head coach anytime, anyplace, anywhere, but his loyalty was with the Philadelphia Eagles.

But the greatest thing about Jim Johnson has nothing to do with the football field. He was known by everyone as the picture of honesty and as a man who never sought the spotlight but one who gave generously of his time and his talents.

Mr. Speaker, Jim Johnson is survived by his wife, Vicky, two children, Scott and Michelle, and four grandchildren, Katie, Justin, Brandon and Jax. He leaves behind grieving friends, players, colleagues and fans. But our memories of him will live forever.

I ask my colleagues to support this resolution.

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

I rise in support of H. Res. 693, honoring the life and accomplishments of Jim Johnson and expressing condolences to his family on his death. Today we honor Jim Johnson for his life accomplishments and for his positive attitude he exhibited, even as he battled with cancer.

Mr. Johnson began his coaching career as head coach at Missouri Southern University. He went on to coach at Notre Dame, winning the national championship in his first year with the university. He entered the NFL in 1986 with the Arizona Cardinals and coached for 22 years for the Cardinals, the Indianapolis Colts, the Seattle Seahawks and the Philadelphia Eagles.

Mr. Johnson's achievements in life and his career are truly inspiring. He was one of the top defensive masterminds in NFL history. In fact, his aggressive style, noted for its frequent blitzing, kept Philadelphia at or near the top of the NFL in nearly every major defensive category since Mr. Johnson joined the Eagles staff in 1999. With Mr. Johnson at the helm of the defense, the Philadelphia Eagles appeared in five NFC championship games, including in 2004 when they advanced to the Super Bowl.

Philadelphia Eagles Head Coach Andy Reid stated:

''Johnson really represented everything the City of Philadelphia is all about, with his toughness and grit. That's the way he fought this cancer.''

It is clear that Mr. Johnson made a large impact on those around him on and off the field. Sadly, Mr. Johnson passed away from melanoma on July 28, 2009, at the age of 68. Though he has left this world, he will forever be remembered for his accomplishments.

I rise today to ask my colleagues to join me in honoring Mr. Johnson and expressing our condolences to his family in his passing by supporting H. Res. 693.

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

Mr. LYNCH. Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am proud to present House Resolution 693 for consideration. This resolution serves to honor the life and accomplishments of NFL coaching legend Jim Johnson, as well as extend our condolences to the Johnson family on his passing.

The measure before us was introduced on July 29, 2009, by my colleague who spoke earlier, Representative BOB BRADY of Pennsylvania.

□ 1515

This measure was reported out of the Oversight Committee on September 4, 2009, by unanimous consent.

Additionally, House Resolution 693 has been cosponsored by over 50 Members of Congress and enjoys strong support from the members of the Pennsylvania House delegation.

Mr. Speaker, House Resolution 693 honors the life and accomplishments of Mr. Jim Johnson, whose celebrated football career spanned over 40 years at the collegiate level and with the National Football League.

A native of Maywood, Illinois, Coach Johnson began his career in football as a player—first as an All-Big Eight quarterback from 1959 to 1962 at the University of Missouri, under Coach Dan Devine, and subsequently as a tight end with the Buffalo Bills of the American Football League from 1963 to 1964.

In 1967, Mr. Johnson turned his attention to coaching and was hired by Missouri Southern College as the head football coach. Coach Johnson's 2-year tenure at the school was followed by 4-year tours at Drake University and at Indiana University, and ultimately led to a 6-year stint as a defensive backs coach and defensive coordinator at the University of Notre Dame. Notably, the Fighting Irish won the national championship in Coach Johnson's first season with the team.

After leaving Notre Dame in 1984, Coach Johnson went on to coaching positions with the Oklahoma Outlaws and Jackson Bulls of the United States Football League, and in 1986 entered the National Football League as a defensive line and secondary coach for the Arizona Cardinals.

Coach Johnson would later join the defensive coaching staffs of the Indianapolis Colts and the Seattle Seahawks before Philadelphia Eagles Coach Andy Reid pursued and hired Johnson to be the Eagles' defensive coordinator in 1999. It is Coach Johnson's 10-year period with the Eagles that perhaps most epitomizes his mastery of defensive schemes and cemented his status, as noted by Andy Reid, as the ''best in the business at what he does.''

Coach Johnson's tenure in Philadelphia witnessed 26 Pro Bowl selections for the Eagles' defense, including seven by safety Brian Dawkins and five by quarterback Troy Vincent.

As noted by the Philadelphia Inquirer, Coach Johnson's Eagles career will be remembered as ''one of the finest decades of defensive football in the Eagles' history, and when the chapter about the top of the 21st century is written about this football team, the name Jim Johnson will be mentioned prominently.''

In addition to his professional accomplishments, Coach Johnson will be equally remembered as a loving husband to his wife, Vicky; a dedicated father to his son, Scott, and daughter, Michelle; and an endearing grandfather to four grandchildren.

Regrettably, Coach Johnson passed away in July of 2009 at the age of 68. Mr. Speaker, it is my hope that we can honor the life and accomplishments of Coach Jim Johnson, as well as express our sincerest condolences to his family, through the passage of House Resolution 693. I urge my colleagues to join me in supporting this resolution.

I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I urge all Members to support the passage of House Resolution 693, and I yield back the balance of my time.

Mr. LYNCH. In closing, I urge my colleagues to join with the lead sponsor of this resolution, Bob Brady of Pennsylvania, in supporting House Resolution 693.

I yield back the balance of my 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 agree to the resolution, H. Res. 693.

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.

SICKLE CELL DISEASE AWARENESS MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 186) supporting the goals and ideals of Sickle Cell Disease Awareness Month.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 186

Whereas Sickle Cell Disease is an inherited blood disorder that is a major health problem in the United States and worldwide;

Whereas Sickle Cell Disease causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, and restricted blood flow, damaging tissue in the liver, spleen, and kidneys, and death;

Whereas Sickle Cell Disease causes episodes of considerable pain in one's arms, legs, chest, and abdomen;

Whereas Sickle Cell Disease affects an estimated 70,000 to 100,000 Americans;

Whereas approximately 1,000 babies are born with Sickle Cell Disease each year in the United States, with the disease occurring in approximately 1 in 500 newborn African-American infants, 1 in 1,000 newborn Hispanic-Americans, and is found in persons of Greek, Italian, East Indian, Saudi Arabian, Asian, Syrian, Turkish, Cypriot, Sicilian, and Caucasian origin;

Whereas more than 2,000,000 Americans have the sickle cell trait, and 1 in 12 African-Americans carry the trait;

Whereas there is a 1 in 4 chance that a child born to parents who both have the sickle cell trait will have the disease;

Whereas the life expectancy of a person with Sickle Cell Disease is severely limited, with an average life span for an adult being 45 years;

Whereas, though researchers have yet to identify a cure for this painful disease, advances in treating the associated complications have occurred;

Whereas researchers are hopeful that in less than two decades, Sickle Cell Disease may join the ranks of chronic illnesses that, when properly treated, do not interfere with the activity, growth, or mental development of affected children;

Whereas Congress recognizes the importance of researching, preventing, and treating Sickle Cell Disease by authorizing treatment centers to provide medical intervention, education, and other services and by permitting the Medicaid program to cover some primary and secondary preventative medical strategies for children and adults with Sickle Cell Disease;

Whereas the Sickle Cell Disease Association of America, Inc. remains the preeminent advocacy organization that serves the sickle cell community by focusing its efforts on public policy, research funding, patient services, public awareness, and education related to developing effective treatments and a cure for Sickle Cell Disease; and

Whereas the Sickle Cell Disease Association of America, Inc. has requested that the Congress designate September as Sickle Cell Disease Awareness Month in order to educate communities across the Nation about sickle cell and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress supports the goals and ideals of Sickle Cell Disease Awareness Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. TURNER) 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. I yield myself such time as I may consume.

Mr. Speaker, on behalf of the Oversight and Government Reform Committee, I'm proud to present House Concurrent Resolution 186 for consideration. This legislation expresses our support for the goals and ideals of Sickle Cell Disease Awareness Month.

The measure before us was introduced on September 16, 2009, by my colleague and good friend, Representative

Danny Davis of Illinois, and favorably reported out of the Oversight Committee on September 24, 2009, by unanimous consent. In addition, this measure enjoys the support of over 70 Members of Congress, and I am proud to say that I am also an original cosponsor.

Mr. Speaker, House Concurrent Resolution 186 highlights the importance of Sickle Cell Disease Awareness Month. Sickle cell disease is an inherited blood disorder that predominantly affects people of sub-Saharan African ancestry. Today, an estimated 70,000 to 100,000 Americans suffer from this disease, and nearly 1 in 500 African American newborns is born with sickle cell.

Individuals with sickle cell have red blood cells that assume a rigid sickle shape. When these blood cells travel through small blood vessels, they often become stuck and clog blood flow. This causes repeated episodes of severe pain, organ damage, serious infections, and/or anemia.

Tragically, the life expectancy of those with sickle cell is also greatly reduced—42 years for males and 48 years for females. In Africa, more than 90 percent of children with sickle cell die before the illness is even diagnosed.

There is no cure for this illness; although, with careful supervision, individuals with sickle cell can live full and healthy lives. Treatment today is primarily aimed at avoiding crises, relieving symptoms, and preventing complications.

Despite its prevalence and seriousness, little is known publicly about sickle cell disease. For this reason, Sickle Cell Disease Awareness Month presents a valuable opportunity to increase public understanding of this illness and to work collectively to find a cure for sickle cell.

In closing, I wholeheartedly support this measure and encourage all my colleagues to join myself and Representative Danny Davis of Illinois in voting in favor of House Concurrent Resolution 186.

I reserve the balance of my time.

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

This resolution seeks to bring attention to sickle cell disease and to support the designation of September as Sickle Cell Awareness Month.

Sickle cell disease, SCD, is a deadly genetic blood disorder that strikes, primarily, persons of African descent. Those affected by the disease most often appear to be healthy, but their lives are disturbed by sporadic and painful attacks in their arms, legs, chest, and abdomen.

SCD also causes the rapid destruction of sickle cells that results in multiple medical complications, including anemia, jaundice, gallstones, strokes, and restricted blood flow, causing tissue damage, cardiovascular, and organ damage. Approximately 80,000 African Americans suffer from sickle cell disease, and millions are affected worldwide.

Statistics shockingly show that 1 in every 350 African American babies born in the United States has the disease. One in eight African American babies carry the sickle cell trait. There is a one in four chance that a child born to parents who both carry the sickle cell trait will have the disease. Life expectancy is limited, as an average lifespan for an adult with the disease is only 45 years old.

A universal cure, though, remains elusive. However, early diagnosis through newborn screening and education has improved survival and quality of life for those who suffer from SCD. Because SCD affects so many people and research funding is critical to effectively treating and ultimately to preventing the disease, we are grateful for organizations such as the Sickle Cell Disease Association of America that continues to shine the light of hope for all of those who are affected.

Therefore, I ask my colleagues to join me in supporting the designation of the month of September as National Sickle Cell Disease Awareness Month so that communities throughout the country will become aware of this disease and the need for additional research, effective treatments, and prevention programs that will ultimately lead to a cure.

I reserve the balance of my time.

Mr. LYNCH. Mr. Speaker, I don't have any further speakers on this matter, but I continue to reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I urge all Members to support the passage of H. Con. Res. 186, and I yield back the balance of my time.

Mr. LYNCH. I thank my colleague, and I also urge all of our friends on both sides of the aisle to join with Congressman DANNY DAVIS, who's the lead sponsor of this measure, to support the ideals and goals of Sickle Cell Disease Awareness Month by voting for House Concurrent Resolution 186.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand before you today in strong support of H. Con. Res. 186, "Supporting the goals and ideals of Sickle Cell Disease Awareness Month." Sickle Cell Anemia affects an estimated 70,000 to 100,000 Americans. Every year 1,000 babies are born with Sickle Cell Disease in the United States, with the disease occurring in approximately 1 in 500 newborn African-American infants. We must educate the public and shed light on this disease, especially considering that there is a 1 in 4 chance that a child born to parents who both have the sickle cell trait will have the disease.

Sickle Cell Anemia is an inherited blood disorder that is a major health problem in the United States and worldwide. It not only affects African Americans, but Hispanics and persons of Greek, Italian, East Indian, Saudi Arabian, Asian, Syrian, Turkish, Cypriot, Sicilian, and Caucasian origin.

Sickle Cell Disease causes the rapid destruction of sickle cells, which results in multiple medical complications such as: pain episodes, strokes, increased infections, leg ulcers, bone damage, yellow eyes or jaundice, early gallstones, lung blockage, kidney damage and loss of body water in urine, priapism, blood blockage in the spleen or liver (sequestration), eye damage, anemia, delayed growth and even death.

Although it cannot be cured, effective treatment is available for persons with sickle cell disease. The trait and the disease are inherited. The most important thing one can do is to make sure to get tested. More than 2,000,000 Americans have the sickle cell trait, and 1 in 12 African-Americans carry the trait.

Although researchers have not yet identified a cure for this painful disease, advances in treating the associated complications have occurred. Once almost exclusively a pediatric illness, research has resulted in early detection and improvements in treatment that have extended life expectancy from the 20s to the mid-40s for many patients. Although the life expectancy of a person with Sickle Cell Disease is severely limited, researchers are hopeful that in less than two decades, Sickle Cell Disease may join the ranks of chronic illnesses that, when properly treated, do not interfere with the activity, growth, or mental development of affected children.

I am glad to be able to recognize the Texas Children's Sickle Cell Center for serving over 900 children in the state of Texas and having one of the largest educational programs in the country. The Texas Children's Sickle Cell Center offers comprehensive family-centered care for children with sickle cell disease. The center provides treatment for all aspects of sickle cell disease, offering patient care, education, screening and counseling for afflicted patients and their families. The Sickle Cell Center offers access to new drug therapies for sickle cell disease and its complications. The staff works closely with the neuropsychology, neuroradiology, cardiology and pulmonary departments in order to better understand the pathophysiology and to develop treatment options. I believe we need more facilities like the Texas Children's Sickle Cell Center in order to not only treat those with the disease, but offer services and educational programs to the family as well.

Mr. Speaker, I urge my colleagues in this Congress to recognize the importance of researching, preventing, and treating Sickle Cell Disease by authorizing treatment centers to provide medical intervention, education, and other services and by permitting the Medicaid program to cover some primary and secondary preventative medical strategies for children and adults with Sickle Cell Disease. Furthermore, I hope that my colleagues will support designating September as Sickle Cell Disease Awareness Month in order to educate communities across the Nation about sickle cell and the need for research funding, early detection methods, effective treatments, and prevention programs.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H. Con. Res. 186, "Supporting the goals and ideals of Sickle Cell Disease Awareness Month."

Sickle cell disease is an inherited blood disorder that affects nearly 100,000 Americans. This disease causes red blood cells to mutate and deliver less oxygen to the body. Numerous medical complications result including bone pain, fatigue, fever, jaundice, chest pain, rapid heart rate and ulcers. Most people afflicted with the disease also suffer painful episodes called vaso-occlusive crises, which vary in frequency and severity. Ultimately, this disease limits a person's average life span to just 45 years.

In the United States, while 1 in 1,000 infants are born with the disease, the rate of disease for African-American infants is 1 in 500. The sickle cell disease gene is carried by 2,000,000 Americans, yet this number is 1 in 12 within the African-American community. If both parents of a child have sickle cell, there is a 1 in 4 chance that their child will inherit the disease. Millions of people world-wide suffer from sickle cell disease, and those of African and Caribbean ancestry are primarily affected.

Despite these devastating statistics, a cure has not been found. Researchers are hopeful that if sickle cell disease is properly treated and diagnosed early, it will not interfere with the growth and mental development of afflicted children. Educating our communities about this disease will enable researchers and advocacy organizations to develop effective treatments and ultimately a cure.

I thank Congressman DANNY K. DAVIS for introducing this legislation and look forward to working with my colleagues to raise awareness of sickle cell disease.

Mr. JOHNSON of Georgia. Speaker, I rise today in support of H. Con. Res. 186, Supporting the Goals and Ideals of Sickle Cell Disease Awareness Month. Mr. Speaker, the State of Georgia has over 7,000 individuals, from diverse backgrounds, many of whom are my constituents living in DeKalb County, living with sickle cell anemia. I have tirelessly advocated on their behalf to support the Georgia Comprehensive sickle cell center, which is located at nearby Grady Hospital. While sickle cell anemia is found in more diagnosed at a higher rate among African Americans and Latinos, it has also found among people of Greek, Turkish, and Saudi Arabian descent. I strongly support H. Con. Res. 186 and I urge my colleagues to support this important resolution.

Sickle cell anemia is a major health problem that affects millions of people worldwide. More than 70,000 people in the United States have inherited sickle cell anemia, while more than 2 million carry the sickle cell trait, including 1 in 12 African-Americans. There is a 25 percent chance that parents carrying the Sickle Cell trait will pass the disease onto a child. This chronic disease deserves our attention and I applaud the efforts of this Congress to ensure that mire is done.

While there is no widely available cure, the goal of sickle cell disease management is to alleviate the painful symptoms associated with the disease, including gallstones, strokes, tissue, liver, and spleen damage. There has been a glimmer of hope for a small number of those infected; bone marrow transplants have proven to be a successful treatment for the disease. Over the past 30 years, advances in advocacy and awareness, and improvements in medicine have led to increases in early diagnoses, improved disease management, and longer life spans for individuals diagnosed with sickle cell anemia.

It is my hope that in the near future, we can develop a cure for this chronic illness, and ensure that people living with Sickle Cell Anemia live full, productive lives.

Mr. LYNCH. I yield back the balance of my 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 agree to the concurrent resolution, H. Con. Res. 186.

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

A motion to reconsider was laid on the table.

CONGRATULATING LITTLE LEAGUE WORLD SERIES CHAMPION CHULA VISTA PARK VIEW

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 725) congratulating the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series Championship.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 725

Whereas on Sunday, August 30, 2009, the Chula Vista Park View Little League Baseball Team from Chula Vista, California, rallied to defeat the Taoyuan, Taiwan (Chinese Taipei) Little League Team by a score of 6 to 3 to win the 2009 Little League World Series Championship at South Williamsport, Pennsylvania;

Whereas Chula Vista Park View is in its 41st season of playing little league baseball and is the fourth team from San Diego County to play in the Little League World Series championship game;

Whereas the 2009 Chula Vista Park View Little League World Championship Team consists of players Isaiah Armenta, Oscar Castro, Jr., Nick Conlin, Kiko Garcia, Bulla Graft, Seth Godfrey, Markus Melin, Jensen Petersen, Daniel Porras, Jr., Luke Ramirez, Andy Rios, and Bradley Roberto;

Whereas the 2009 Chula Vista Park View Little League World Championship Team is led by Manager Oscar Castro, Coach Ric Ramirez, and Park View Little League President Rod Roberto;

Whereas the Chula Vista Park View Little League team was successful because of solid coaching and execution of fundamentals and discipline;

Whereas the fans of the Chula Vista Park View Little League team showed enthusiasm, support, and courtesy for the game of baseball and all of the players and coaches;

Whereas the performance of the Chula Vista Park View Little League team demonstrated to parents and communities throughout the United States that athletic participation builds character and leadership in children; and

Whereas the achievement of the Chula Vista Park View Little League Baseball Team is the cause of enormous pride for the Nation, the State of California, and especially for the city of Chula Vista: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Chula Vista Park View Little League Baseball Team from Chula Vista, California, on winning the 2009 Little League World Series Championship;

(2) recognizes and commends the hard work, dedication, determination, and commitment to excellence of the members, parents, coaches, and managers of the Chula Vista Park View Little League team;

(3) recognizes and commends the people of Chula Vista, California, for the outstanding loyalty and support that they displayed for the Chula Vista Park View Little League team throughout the season; and

(4) respectfully requests that the Clerk of the House transmit an enrolled copy of this resolution to the City of Chula Vista and each player, manager, and coach of the Chula Vista Park View Little League Baseball Team.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. TURNER) 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 in 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 5 minutes to the lead sponsor of this resolution, the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. LYNCH, I thank you. I thank Chairman TOWNS and the Speaker for getting us this resolution so quickly.

We celebrate today and congratulate the Chula Vista Park View Little League team for winning the 2009 Little League World Series.

I will tell you, Mr. Speaker, for several weeks last month, our whole region, the San Diego region and the city of Chula Vista in particular, was enthralled by these 12 young men on the little league team who managed to win victory after victory, some with dramatic comebacks from behind.

They hit home runs whether they were 5 foot 1 or 6 foot 2 and, in fact, set the little league world series record for number of home runs. Their defensive play was incredible, making some fantastic double plays that were worthy of the Major Leagues.

Running the bases or just cheering on the team, every one of these 12 young men played a very important role, and our whole region was enthralled by them.

So we want to thank Isaiah, Oscar, Nick, Kiko, Garcia, Bulla, Seth, Markus, Jensen, Daniel, Luke, Andy, and Bradley for their incredible play in this World Series. The manager, Oscar Castro; the coach, Ric Ramirez; and the little league president, Rod Roberto, were key figures, of course, in this incredible victory.

These young men were dubbed the Blue Bombers. Their final victory was over Taipei in a 6–3 victory. They come from behind in that one, too.

They displayed the success that solid coaching brings and the execution of the fundamentals that little league stresses. Again, the whole region was thrilled by their performance—playing with poise, with class, with sportsmanship. They even invited the Chinese Taipei team to join them on their victory lap around the field at Williamsport to show their own incredible team spirit and sportsmanship.

Chula Vista is a city hard hit by foreclosures and the national recession. It often feels overshadowed by the bigger city of San Diego and affluent suburbs further north, so this victory was particularly sweet for the city of Chula Vista. It helped us all through some tough times. When our professional teams in the area were losing, the little league team was, in fact, victorious.

□ 1530

So all of us here today commend the hard work, dedication and determination of the members, the parents who came out always to support them and were with them the whole way, their coaches, their managers, and the community itself for the outstanding loyalty and support that they displayed to the team throughout the whole season. The welcome home ceremony was attended by 12,000 people in the stadium.

So I thank the House. I thank the Speaker. I thank Mr. LYNCH and Chairman TOWNS for joining me in congratulating and honoring the Chula Vista Park View Little League team for winning the 2009 World Championship game of the Little League World Series. I urge my colleagues to support the resolution.

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

I rise today to urge passage of the resolution, to congratulate the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series championship. The players kept their sights high, even after falling behind by three runs early in the game. Through their perseverance, the players were able to come through with the win by a score of 6–3.

''We knew we could come back,'' said 13-year-old Kiko Garcia. ''We always do.'' The fantastic attitude of these players definitely helped them in achieving victory. There were many notable achievements on the field, including Bulla Graft's single, which scored the go-ahead run in the fourth inning, and Kiko Garcia pitched three-plus scoreless innings of relief to lead the team to victory.

The amazing attitude and determination of the Chula Vista Little League team is not unique to this championship game. It is something that they have learned through hundreds of hours of practice and previous games played. Our Nation should be proud of the great sportsmanship displayed by the players, coaches and fans of the Chula Vista Park View Little League team.

After the win, the Chula Vista players invited the Taipei team players to join them in a victory lap around the stadium. These young men should be proud of the way they played the game of baseball, even more, the way that they represented their country.

It is for these reasons that I rise today to honor the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series championship.

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

Mr. LYNCH. Mr. Speaker, on behalf of the Committee on Oversight and Government Reform, I am pleased to support House Resolution 725 for consideration. This resolution congratulates the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series championship. The measure before us was introduced on September 9 by my colleague and friend, Representative BOB FILNER of California, and it was favorably reported out of the Oversight Committee on September 24 by unanimous consent. Notably, this measure enjoys the support of over 50 Members of Congress.

Mr. Speaker, House Resolution 725 applauds the Chula Vista Park View Little League baseball team's Little League World Series championship run. Led by Coach Ric Ramirez and Manager Oscar Castro, this group of young men clinched the sixth Little League World Series title for the State of California and extended America's Little League World Series championship streak to 5 years.

In the championship game, the California club overcame a three-run deficit to beat a formidable team from Taipei, China, 6–3. These young men demonstrated the type of teamwork, camaraderie and never-say-never spirit necessary to succeed in all facets of life. I wish them the best in their future endeavors, and I hope if any pursue a career in baseball, they find their way to my beloved Red Sox.

I also want to applaud the Little League World Series organizers for orchestrating another successful tournament. The Little League World Series was first held in 1947, and although only American teams competed in the inaugural tournament, today the competition is a truly international event, welcoming teams from Canada, the Caribbean, Latin America, Asia, Europe, the Middle East and Africa.

In closing, let us, as a body, applaud the Chula Vista Park View Little League baseball team for their hard work and success and congratulate the organizers of the Little League World Series for helping to instill the indispensable values of teamwork, sportsmanship, and dedication in today's youth. I encourage all of my colleagues to support this measure.

I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I urge all Members to support the passage of H. Res. 725.

I yield back the balance of my time.

Mr. LYNCH. I thank my colleague for his remarks. I want to ask all of our colleagues on both sides of the aisle to join with Mr. FILNER of California, the lead sponsor of this measure, to congratulate the Chula Vista Park View Little League team by agreeing to House Resolution 725.

I yield back the balance of my 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 agree to the resolution, H. Res. 725.

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.

CONSTITUTION DAY

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 734) expressing the support for and honoring September 17, 2009 as ''Constitution Day,'' as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

Whereas the Constitution of the United States was signed on September 17, 1787, by 39 delegates from 12 States;

Whereas the Constitution was subsequently ratified by each of the original 13 States;

Whereas the Constitution was drafted in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty for the citizens of the United States;

Whereas the Constitution has provided the means and structure for this Nation and its citizens that is unparalleled by any other country;

Whereas the Constitution's contributions to the welfare of the human race reach far beyond the borders of the United States;

Whereas the House of Representatives continues to strive to preserve and strengthen the values and rights bestowed by the Constitution upon the United States and its citizens;

Whereas the Constitution is recognized by many to be the most significant and important document in history for establishing freedom and justice through democracy;

Whereas the Constitution deserves the recognition, respect, and reverence of all people in the United States;

Whereas every person in the United States should celebrate the freedom and responsibilities of the Constitution;

Whereas the preservation of such values and rights in the hearts and minds of United States citizens would be advanced by official recognition of the signing of the Constitution; and

Whereas September 17, 2009, is designated as ''Constitution Day'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses support for the goals and ideals of ''Constitution Day''; and

(2) calls upon the people of the United States to observe the day with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. TURNER) 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.

On behalf of the Oversight Committee, I now present House Resolution 734 for consideration. This resolution expresses support for the goals and ideals embodied in Constitution Day. House Resolution 734 was introduced on September 10, 2009, by my colleague, Representative ROBERT LATTA of Ohio, and favorably reported out of the Oversight Committee on September 24, 2009. In addition, this resolution enjoys the support of over 60 Members of Congress.

Mr. Speaker, House Resolution 734 expresses our support for Constitution Day, which is routinely celebrated on September 17. Eleven years after the signing of the Declaration of Independence, 55 delegates from the first American States came together in Philadelphia, Pennsylvania, to create a Constitution for a Federal Republic. After much hard work and careful deliberation, the Constitution of the United States was signed on September 17, 1787, by 39 delegates from 12 States.

As the supreme law of the United States, the Constitution provides the basic structure for the organization of the American Government. It is no exaggeration to say that the United States Constitution is one of the most important documents in history, often referred to as a living document. This framework from our representative and democratic system of government has served the American people for over 200 years, making it the oldest Federal Constitution still in use in the world. With its separation of powers, its checks and balances and preservation of rights, the Constitution is a worthy example to burgeoning democracies everywhere.

Furthermore, the values and principles it enshrines continue to be central to our Nation's identity. I am sure my colleagues share my pride in serving, protecting and defending the United States Constitution, and I am pleased that we are taking the opportunity today to honor this most treasured document of our democracy.

Mr. Speaker, I urge my colleagues to join me in supporting House Resolution 734.

I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Ohio, the author of H. Res. 734, Mr. LATTA.

Mr. LATTA. I thank my colleague.

Mr. Speaker, I rise today in support of House Resolution 734, which I introduced on September 10, honoring and supporting Constitution Day. I have always been grateful that so many of our country's greatest leaders and statesmen were able to be on Earth at the same time and place to draft the Constitution. Within this document are the fundamental principles of the American system of liberty. Our Constitution has been that beacon upon the hill, that guiding star at night in that shining city that millions of people around the world have long been guided by within their own countries.

The Constitution took 4 hard, acrimonious months from May to September 1787 to actually bring it to fruition through their hard labor. Again, the citizens that attended the convention in Philadelphia were some of our greatest leaders and scholars of government and history: Madison, Franklin, Hamilton, Morris, and Washington. Many different ideas were brought to the convention. Were they only empowered to amend the Articles of Confederation? There is great debate about that. Could they go farther and start from scratch? Many a discussion was held in Philadelphia's boarding houses and taverns.

These members began debates on creating three branches of government: legislative, executive, and judicial. James Madison, the Father of our Constitution, was one of the first to arrive in Philadelphia, and he brought with him his specifically researched ideas while others had theirs. You know, it turned out to be a very hot summer that year. There was no air conditioning. Secrecy was enforced. The proceedings mandated that all windows and doors be shut. Tempers flared, but through it all they worked because these men knew that they were creating a document that would be there for a Nation and for the ages.

The birth of a new Nation was being watched by the powers around the world. As mentioned, 55 delegates attended the Constitution Convention with 39 of them signing the document. What emerged was a document containing 4,400 words. The story goes that when asked what kind of new government was formed, Benjamin Franklin replied, ''A Republic, if you can keep it.'' The Constitution is both the oldest and shortest written constitution of any form of government in the world.

Again, personally I marvel at what these individuals did and what they could accomplish in 4 months. Today, citizens should look to guidance from our Forefathers. All Americans should read this great document because, since the Constitution's ratification, it has been the framework for our great Nation. Not only did great men bring forth great ideas, but for 222 years, this great experiment that we call America has been paid for by hundreds of thousands of lives, the lives of our brave military men and women. Let the living always remember to give thanks to our honored dead, who have paid the ultimate sacrifice that the Constitution of the United States remains our guiding light.

Too few citizens today have read this important document and understand its importance. It is short, and it should be learned, and it should be studied. The preamble of our document states that ''We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.'' The words ''We the People'' affirm that any power of the Federal Government is given to by the people of this great land, and we in Congress must always remember that.

Mr. LYNCH. Mr. Speaker, we have no further speakers at this time, and I continue to reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I urge Members to support the passage of H. Res. 734, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I thank my colleagues for their remarks and support of this resolution. I urge them to support Mr. LATTA and his lead sponsorship of this resolution in support of the goals and ideals of Constitution Day, and I urge my colleagues to join me in supporting House Resolution 734.

I yield back the balance of my 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 agree to the resolution, H. Res. 734, 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.

The title was amended so as to read: ''A resolution expressing support for the goals and ideals of 'Constitution Day' ''.

A motion to reconsider was laid on the table.

□ 1545

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 29, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 29, 2009, at 11:06 a.m.:

That the Senate passed with an amendment H.R. 3614.

That the Senate passed S. 1717.

That the Senate passed with an amendment; requests a conference with the House of Representatives and appointed conferees H.R. 2996.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

SMALL BUSINESS ADMINISTRATION EXTENSION

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3614) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:
Strike sections 2 and 3.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. 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 gentlewoman from New York?

There was no objection.

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

The legislation before us will ensure that a number of Small Business Administration programs can continue operating through the end of October. The House and the Senate have been working diligently on a comprehensive reauthorization of the SBA's programs. However, as we approach the deadline for when these programs will otherwise expire, this bill is necessary to keep the agency's programs running.

Some minor changes to the programs, which were contained in the extension that the House passed last week, are not in this measure. Although the Senate chose not to address these matters at this time, there is widespread support for these measures. I am hopeful that we can revisit those changes soon in future legislation.

In coming weeks the Small Business Committee will continue working with our Senate counterparts to modernize the SBA's programs, some of which have not been updated in 10 years. While we continue our work, this bill will allow the SBA's programs to continue operating and serving entrepreneurs.

I urge my colleagues to vote ''yes.''

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

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

I rise today in support of the chairwoman's request to suspend the rules and pass H.R. 3614, as amended. The bill extends until October 31, 2009, the authorization of all programs authorized by the Small Business Act, the Small Business Investment Act, and any program operated by the Small Business Administration for which Congress has already appropriated funds.

While the goal is to pass comprehensive legislation reauthorizing the SBA for a longer period, this short-term extension ensures that these programs will remain available to small businesses across the country.

Without enactment of this extension, a number of essential programs that the SBA operates would cease to function. Given the importance that small businesses play and will continue to play in the revitalization of the American economy, we cannot allow the SBA authorizations to run out.

Enactment of this legislation will enable the House and Senate to continue to work in a diligent manner to address necessary changes to SBA programs.

I urge all of my colleagues to suspend the rules and pass H.R. 3614.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I rise in support of H.R. 3614 and specifically those provisions which extend the SBIR and STTR programs.

Small businesses grow our economy and they innovate. The SBIR and STTR programs help small companies develop cutting-edge technologies for the marketplace.

However, these programs will expire at the end of this month, and H.R. 3614 temporarily extends the authorization of these programs while we work to finalize reauthorization efforts.

Both the House and the Senate passed legislation earlier this year to reauthorize SBIR and STTR. We have been working to find those areas of common ground on areas where we disagree, and while we have yet to reach a final agreement, we all have the same goal: to reauthorize important programs which drive our economy and drive job creation.

SBIR is a program for small business, and it is also an innovation program. It can and should serve both policy purposes. It should not be a stalking horse for Big Business nor should it become the preserve of only some small businesses while shutting out other small businesses who are frequently very good innovators in and of themselves.

We need to find the common ground that serves these policy objectives and serve them well for the good of our Nation, our economy, and job creation.

With that, I want to recognize the very good work of Chairwoman VELÁZQUEZ in this arena.

Mr. TURNER. Again, I urge all Members to support the passage of H.R. 3614.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3614.

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

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 3 o'clock and 56 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at 6 o'clock and 2 minutes p.m.

MOTION TO INSTRUCT CONFEREES ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. DELAURO. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

Mr. KINGSTON. Mr. Speaker, I offer a motion to instruct conferees.

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

The Clerk read as follows:

Mr. Kingston moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2997 be instructed to not record their approval of the final conference agreement (within the meaning of clause 12(a)(4) of House rule XXII) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Georgia (Mr. KINGSTON) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

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

also want to thank the chairwoman of the Subcommittee on Agriculture, Ms. DELAURO. I have enjoyed working with her throughout this process. We've had a very good debate, we've had a number of good productive hearings, and we've had a lot of good discussions outside the scope of the hearings that have been helpful. So we have been, I would say, moving the ball forward in good communication.

One of the things, though, that Members of Congress need that are not on this committee is time to read bills. And this was really brought to our attention by Mr. BAIRD of Oregon who introduced a bill earlier this session that said that a health care bill should lay on the table for 72 hours.

To underscore this, I think back at the TARP bill that we had almost a year ago in November last year. And what happened during that bill, as we remember, Secretary Paulson was in a rush to do something big and bold, I think those were his exact words, something significant to send a signal to the Wall Street markets that the Federal Government was going to stand behind their financial travails.

And I remember at one particular point posting that bill on my Web site on a Sunday night which was the weekend that we were in Washington and people back home were calling, but they couldn't get any information. And we put it on our Web site as soon as it was available, which I think was about 10 p.m. at night. By the morning, I was floored by the number of constituents who had already read that bill who appreciated the bill being put on the Web site.

I think also about the cap-and-trade bill, which was not a very popular bill. Indeed, it hasn't passed the Senate because of the public outcry on it. But during the time in the House, the way the Democratic majority passed the bill was through the usual system which we, both parties, use around here called ''arm twisting'' and sometimes sweetening the pot of the bill. And in that case, the cap-and-trade bill was actually being renegotiated, I believe, at 3 in the morning when the House was convening at 9 a.m.

Now, I was sleeping, and I would suggest that 435 Members of the House were probably sleeping. Maybe a handful of Members were still awake. Maybe they were in the Speaker's office having their arms twisted. And maybe they said, In exchange for my vote, I would like to see some language that's put in the bill. I don't know what happened, Mr. Speaker. But what I do know is that bill was amended. At 3 in the morning, there were things that were put in that bill.

I think because of that, Mr. BAIRD, a Democrat from Oregon, has reacted and said we need to make sure. Because Democrats and Republicans have been guilty of last-minute bill changing and last-minute arm twisting, let's put the bill out on the Web site. Let's lay it out on the table for 72 hours so that everybody has an opportunity to read about it.

I think in this case the sunshine is always helpful. I think in this bill I believe I know what's in this bill. I feel very comfortable about this bill, voting for it, and I think most members of the subcommittee and the Appropriations Committee will. But I will also say that Members who are not on the Appropriations Committee, who always kind of jump on us for doing things behind the scenes, they would benefit by having the bill out on the table. I know I would have benefited from the Energy and Commerce Committee having the cap-and-trade bill out on the table for 72 hours.

So what we are asking in this amendment is that Members have time to read bills by putting it on the table for 72 hours. That's all that this motion does.

I reserve the balance of my time.

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

I, too, want to compliment my colleague, friend and ranking member, Mr. KINGSTON. I think we have worked together on a bipartisan basis with regard to this piece of legislation, and I think we both feel that we've had sufficient input and we have come through this with identifying the needs that this Agriculture appropriation bill focuses on, the needs of the people who rely on this piece of legislation. And we've had a very thorough examination. We've had hearings, not only with regard to the budget processes, but as well external to that on issues that impact a rural community, people who care about conservation, people who care about nutrition, people who care about research in these areas. So, again, I think that within the subcommittee, we have had a very, both at a member level, and at a staff level, a very, very close-knit effort.

I might also say that in translating that as well to the conference with the Senate, that Members were engaged in that process as well as staff for several weeks as we tried to meld the two views together so that it was a thorough examination of all of the issues that are there, and that we could come to some common resolve about it. So I think we can feel good about both the work done at the subcommittee level in the House and our work with the Senate on this conference report.

Now, I think we have some specific time constraints, which I wish we didn't, but we are guided by a September 30 deadline in terms of being able to pass a bill and what happens if that doesn't happen with an appropriation bill. There is that time constraint, but in addition, and the fiscal year coming to an end, if you will, tomorrow, which would then, with this motion to instruct would really tie the hands of the managers, of the conferees, in trying to be able to move forward given the weeks that have gone into producing the conference report.

Also, the time constraints in this institution which have to do with, and it's none of our doing, we were not in session yesterday with regard to a holiday. We come back, we are in session today, we have other constraints when people are coming and going, so that you're looking at time is of the essence in trying to pass legislation. Particularly, I might add, what we are trying to do is to keep the bills moving, appropriations bills moving, because we know what that means in terms of that fiscal year deadline. And we want to try to get bills passed into law without delay.

I know that there has been talk of 48 hours; now I understand this is 72 hours. I think that I want to, if I can say it this way, responsibly oppose my colleague's motion to instruct. I don't know if we can meet that deadline, but I also do believe fundamentally that we have, in fact, had a thorough examination of all the issues that are in this appropriations bill and in the conference bill that I think we can take to our colleagues who as well have been following what is going on because they have specific and particular interests in what this bill means for them.

I'm someone who agrees that we need to look at bills, read them, understand them, et cetera. And I honestly do believe that on this piece of legislation we have that kind of understanding.

With that, if I may, I would like to yield such time as he may consume to my colleague, the chairman of the Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentlewoman for the time. Let me say this is a very interesting institution, and we have all kinds of demands placed upon it which are often contradictory. Example: many a Member in this Chamber will loudly request that we limit earmarks.

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And then they will also ask when we go into conference that their own earmarks be funded at the highest possible level. I've had two Members of the House talk to me just today about those matters. Didn't seem to be at all bothered by the conflict in what they're asking.

We have people who say these bills should be available for 72 hours before we vote on them, but some of those same people will not want the House to meet on Monday and they will not want the House to meet on Friday. And if that's the case, then that means that this bill, for instance, even if it is conferenced tomorrow could not be voted on any day in the remainder of the week.

We have people who want us to push these bills through before the end of the fiscal year, and yet, when we say, Well, can you go to conference at 8 o'clock tomorrow morning, we were just told today, no, they couldn't; can you go to conference at 9 o'clock, no, they can't; and then when we talk to the Members of the other body and say can you go to conference at 11 o'clock

tomorrow, no, we can only go to conference at 2, if it's in the afternoon.

So anyone managing a bill, as the gentlewoman from Connecticut is going to have to manage this one, is faced with all kinds of conflicting demands from Members who seem to be almost unconscious about the fact that their demands, in fact, are conflicting. And all I can say as chairman of the committee is we will try to give Members the maximum time possible to review the bills, consistent with our obligation to get the work done.

So I think if anyone is concerned about a specific item in the bill, I'm sure the gentlewoman and I'm sure the gentleman from Georgia will be willing to walk them through what the committee has in mind.

But in the end, I would simply—I'm not going to vote for this motion because I can't with a straight face both promise to make these bills available for 72 hours and meet all of the other conflicting demands that Members of the House are making. We've got an obligation to try to balance those requirements, and we will do that to the best of our ability. And in the end, I think we will have reasonable bills, and we will let the public be the judge of just how reasonable they are.

I thank the gentlewoman for the time.

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

I want to say this, as my friends on the Appropriations Committee know on the other side, that this concern really is far beyond this bill. I do believe this process, particularly on the subcommittee, has been open and that Members on our side of the aisle have had plenty of time to read it.

However, I know there are Members who are not on the Appropriations Committee who are constantly criticizing our committee for doing things, and I believe that they do deserve the time to view the bill. It is a $23 billion bill in terms of the discretionary spending and I think around $80 billion for the nondiscretionary spending. So $100 billion is probably worth 3 days of scrutiny.

Yet, I think what's really more concerning is because the process of appropriations has gone through regular order—and I think the gentleman from Wisconsin and the gentlewoman from Connecticut have done a great job of being open to all members of the committee and all Members of the House on it—other bills which have been significant, which have not gone through our committee, did not have the sunshine of this bill or the sunshine of some of the other bills.

And so a lot of the things that are concerning the constituents back home right now—and I think that Mr. BAIRD from Oregon has picked up on—is that people are thinking about the stimulus bill, $787 billion. And I know that the gentleman from Wisconsin had hearings in December on that, and we were appreciative of it, but a lot of the Members of the House did not have the opportunity to read that bill and scrutinize it as much as they would like to. And then the most recent one was the cap-and-trade bill, which Members were aware was getting amended at 3 a.m. and we were supposed to vote on it the next day. We convened 6 hours later at 9 a.m.

Now, we also have out there in the realm of possibilities a massive health care bill, a bill that the CBO has scored at $1.29 trillion, and our constituents are very concerned. In fact, I've never seen a petition like this before, but there's actually been a petition sent up to Members of Congress saying, Will you agree to read the bill before you vote on it? And I think that's a fair request by our constituents, the minimum bid, for Members of Congress, to read the bill.

And I think that the Appropriations Committee can lead by example on this by allowing 72 hours, but I think there are also concerns, you know, perhaps this should be regularly part of the process when we have a large spending bill. This one's $100 billion; again, the health care bill is $1.29 trillion. People deserve the opportunity to look at it.

Now, I also know, having served in the majority, how difficult it is to manage a bill in a House with 435 independent contractors and conflicting schedules, and then you go to the really hard job and that's the other body, and sometimes it's difficult to get everybody just in the room at the same time. But that's why we passed last week in the House a continuing resolution, which actually builds in some time now, that we will have—should the other body pass that this week, we will have until October 30 to pass these bills. So the 72 hours won't put in jeopardy any of the funding levels or force the government to go back on some money or scramble around. So we do have until October 30, but there certainly would be no reason to wait that long. We're just asking for 72 hours.

And we feel very strongly about this. We have done this already on the energy and water bill, and I think that we're just concerned about spending, Mr. Speaker.

That's kind of what this bill boils down to, and again, it goes well beyond the Appropriations Committee and certainly beyond this bill, but we are hearing from the folks back home, and I represent Georgia. Mr. BAIRD represents Oregon. I share his concern. We have a discharge petition on his bill trying to get it on the floor of the House right now. I don't know if it's bipartisan, but 160 Members have already signed that discharge petition expressing concern to have more time to read bills once they are out of the conference committee.

I reserve the balance of my time. We do not have any other speakers on this side, so if my colleague is ready to yield back, I would be, too.

Ms. DELAURO. I thank the gentleman, and I would just, with the remaining few comments, because I think that we have had this conversation, discussion, about it, focus my attention on this particular piece of legislation, and I understand the gentleman is talking about other areas.

But I think that this is particularly and maybe unique in the sense of the kinds of efforts that have gone into making this a very open process, a process where people are knowledgeable about what they're doing and how they're doing it and what kinds of input have gone in. And again, there are not too many folks around here, whether they're from north, south, east or west, and the folks from the Northeast who care about animal and plant disease. There are folks in the west coast, east coast that care about dairy. There are people who have expressed their views who are on the committee, off the committee with regard to our settling the issue of the Chinese poultry. So I think everyone has had a very adequate amount of time to look at this and to be able to reflect on it so that they can come to a conclusion.

Let me just ask the gentleman if he does have any more speakers?

Mr. KINGSTON. No, I do not have any speakers, and I'm ready to yield back the balance of my time.

Ms. DELAURO. As am I.

Mr. KINGSTON. With the exception that I have been admonished that, as I was looking at the Speaker from Oregon, I was thinking Oregon. Mr. BAIRD is from Washington, and so I'm asking for forgiveness from Mr. BAIRD. And they're both great States, of course, and I just want to make sure that's a matter of record.

I yield back the balance of my time.

Ms. DELAURO. I yield back the balance of my time.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 29, 2009.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER, on September 24, 2009, the Committee on Transportation and Infrastructure met in open session to consider 11 resolutions to authorize appropriations for the General Services Administration's (GSA) FY 2010 Capital Investment and Leasing Program, including six construction resolutions (authorizing $302.6 million) and five repair and alteration resolutions (authorizing $510.4 million). The Committee adopted the resolutions by voice vote with a quorum present.

Enclosed are copies of the resolutions adopted by the Committee on Transportation and Infrastructure on September 24, 2009.

Sincerely,

JAMES L. OBERSTAR, M.C.
Chairman.

Enclosures.

ALTERATION ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM VARIOUS BUILDINGS—PEW–2010

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized to implement energy and water retrofit and conservation measures in Government-owned buildings during fiscal year 2010, at a proposed cost of $20,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROGRAM SUMMARY

This alteration prospectus proposes the implementation of energy and water retrofit and conservation measures in Government-owned buildings during fiscal year 2010. Projects to be accomplished in Federal buildings throughout the country are currently being identified through surveys and studies. The projects to be funded will have positive savings-to-investment ratios, will provide reasonable payback periods, and may generate rebates and savings from utility companies and incentives from grid operators. Projects will vary in size, by location, and by delivery method. This prospectus requests authority to fund energy and water retrofit work. The authority requested in this prospectus is for a diverse set of retrofit projects with engineering solutions to reduce energy or water consumption and/or costs.

JUSTIFICATION

The Energy Policy Act of 2005 (Public Law 109–58) required a 2% energy usage reduction as measured in BTU/GSF per year from 2006 through 2015 over a 2003 baseline. Additionally, this act sets a mandate to install advanced meters for electricity in all buildings by 2012. Guidance issued by the Department of Energy pursuant to this requirement states that savings anticipated from advanced metering can range from 2% to 45% annually when used in combination with continuous commissioning efforts. Executive Order 13423 on Strengthening Environmental, Energy and Transportation Management was, concerning energy consumption reduction, incorporated into law as the energy independence and Security Act of 2007. The Executive Order also established a water reduction mandate of 2% per year based on a 2007 baseline as measured in gallons/gsf.

By the year 2015, all Federal agencies are directed to reduce overall energy use in federally operated buildings they operate by 30 percent from 2003 levels and reduce overall water use by 16 percent from 2007 levels. Increased energy and water efficiency in buildings and operations will require capital investment for changes and modifications to physical systems which consume energy and water.

In addition, the Energy Independence and Security Act of 2007 included provisions that exceed the requirements of the Energy Policy Act of 2005. One such long-term requirement is to eliminate fossil fuel-generated energy consumption in new and renovated Federal buildings by FY 2030 by achieving targeted reductions beginning with projects designed in FY 2010. Other shorter-term measures include increasing the use of solar hot water heating (to 30%); installation of advanced meters for water and gas (previously only electricity was covered); and broader application of energy efficiency in all major renovations. Approval of this FY 2010 request will enable GSA to continue to provide leadership in energy/water conservation and efficiency to both the public and private sectors.

AUTHORIZATION REQUESTED—$20,000,000

Potential projects to be accomplished in Federal buildings throughout the country are currently being identified through surveys and studies. The projects to be funded will have positive savings-to-investment ratios, will provide reasonable payback periods, and may generate rebates and savings from utility companies and incentives from grid operators. Projects will vary in size by location and by delivery method. Typical projects include the following:

Upgrading heating, ventilating, and air-conditioning (HVAC) systems with new high efficiency systems including the installation of energy management control systems.

Altering constant volume air distribution systems to variable air flow systems by the addition of variable air flow boxes, fan volume control dampers, and related climatic controls.

Installing building automation control systems, such as night setback thermostats and time clocks, to control HVAC systems.

Installing automatic occupancy light controls, lighting fixture modifications and associated wiring to reduce the electrical consumption per square foot through the use of higher efficiency lamps and use of non-uniform task lighting design.

Installing new or modifying existing temperature control systems.

Replacing electrical motors with multi-speed or variable-speed motors.

Insulating roofs, pipes, HVAC duct work, and mechanical equipment.

Installing and caulking storm windows and doors to prevent the passage of air and moisture through the building envelope.

Providing advanced metering projects which enable building managers to better monitor and optimize energy performance.

Providing and implementing water conservation projects.

Providing renewable projects including photovoltaic systems, solar hot water systems, and wind turbines.

Providing distributed generation systems.

CERTIFICATION OF NEED

It has been determined that the practical solution to achieving the identified building energy and water management goals is to proceed with the energy and water retrofit work indicated above.

Submitted at Washington, DC, on June 11, 2009.

Recommended:— — —, Acting Commissioner, Public Building Service.

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

DESIGN/ALTERATION—HIGH PERFORMANCE ENERGY PROJECTS—ENERGY INDEPENDENCE AND SECURITY ACT OF 2007—VARIOUS BUILDINGS—PEISA–2010

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for implementation of high performance energy projects and conservation measures in Government-owned buildings during fiscal year 2010, at a proposed cost of $20,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROGRAM SUMMARY

This alteration prospectus proposes the implementation of high performance energy projects and conservation measures in Government-owned buildings during fiscal year 2010. Projects, to be accomplished in Federal buildings throughout the country, are currently being identified through surveys and studies. The projects to be funded will have positive savings-to-investment ratios, will provide reasonable payback periods, and may generate rebates and savings from utility companies and incentives from grid operators. Projects will vary in size, by location, and by delivery method. This prospectus requests authority to fund geothermal and other high-performance green building retrofit work, as well as designs for new facilities that incorporate these technologies. As we formulate and develop future projects, we will incorporate these activities into our designs. As appropriate, we will use the authority in this prospectus to incorporate this requirement into previously funded and authorized activities. The authority requested in this prospectus is for a diverse set of retrofit and design projects with engineering solutions to reduce energy consumption and/or costs.

JUSTIFICATION

The Energy Policy Act of 2005 (Public Law 109–58) required a 2% energy usage reduction as measured in BTU/gsf per year from 2006 through 2015 over a 2003 baseline. Additionally, this act sets a mandate to install advanced meters for electricity in all buildings by 2012. Guidance issued by the Department of Energy pursuant to this requirement states that savings anticipated from advanced metering can range from 2% to 45% annually when used in combination with continuous commissioning efforts. In regard to energy consumption reduction, Executive Order 13423 on Strengthening Environmental, Energy and Transportation Management was, incorporated into law as the Energy Independence and Security Act of 2007 (EISA). Both increased the energy reduction mandates to 3% per year, and the Executive Order also established a water reduction mandate of 2% per year based on a 2007 baseline as measured in gallons/gsf.

By the year 2015, all Federal agencies are directed to reduce overall energy use in federally operated buildings they operate by 30

percent from 2003 levels and reduce overall water use by 16 percent from 2007 levels. Increased energy and water efficiency in buildings and operations will require capital investment for changes and modifications to physical systems which consume energy and water, as well as other high performance green building initiatives and infrastructure designs and retrofits.

In addition, EISA included provisions that exceed the requirements of the Energy Policy Act of 2005. One specific long term requirement is to eliminate fossil fuel generated energy consumption in new and renovated Federal buildings by FY 2030 by achieving targeted reductions beginning with projects designed in FY 2010. High-performance green building initiatives and infrastructure designs and retrofits will assist in reaching the targeted reductions.

EISA also requires GSA to create at least two technology acceleration programs, for high-efficiency lighting and for geothermal space conditioning (ground source heat pump), as well as others that are cost effective.

The technology acceleration programs are broad in their application and potentially dramatic in their ability to improve the human and energy performance attributed to buildings. Lighting control systems, even with the lighting energy improvements of the past 30 years in Federal buildings, have the ability to improve the working performance conditions and reduce energy consumption by nearly 30%. The capital cost of these renovations is considerable, as most require the removal and replacement of ceiling systems, and the re-wiring of electrical distribution. The geothermal (ground source heat pump) program requires significant training both for GSA personnel and contractors. EPA and DoE have programs that can be adapted for GSA, and the cost of the program is reduced accordingly. The feasibility studies are considerable in number, and involve information about site conditions for existing buildings that are not readily available in our records, as well as vast changes in the direction to procurement and engineering professionals across the agency. GSA's ability to design and implement this acceleration program will have great value to the rest of the Federal inventory, as the lessons learned and programmatic guidance developed will be applicable to many other building types. The upfront capital costs of geothermal systems are typically 1.5 times conventional systems, and yield a positive return on investment typically in the 10–15 year range (dependent upon geological conditions (capital) and the cost of energy (operations)).

Approval of this fiscal year 2010 request will enable GSA to continue to provide leadership in energy/water conservation and efficiency to both the public and private sectors.

Authorization Requested—$20,000,000.

Potential projects to be accomplished in Federal buildings throughout the country are currently being identified through surveys and studies, along with potential new designs. The projects to be funded will have positive savings-to-investment ratios, will provide reasonable payback periods, and may generate rebates and savings from utility companies and incentives from grid operators.

Projects will vary in size by location and by delivery method. Typical projects include the following:

Designing new facilities to conform to EISA and to incorporate these new technologies.

Designing new facilities to incorporate other sustainable, green building technologies, such as solar power, wind power, green roofs, and photovoltaic techniques.

Drilling to install vertical and horizontal geothermal loops.

Installing heat pumps and other types of geothermal equipment.

Installing building insulation and seals to enhance equipment performance and reduce the size and energy consumption of geothermal and other energy-efficient equipment.

Installing new or modifying existing green building materials.

Installing wastewater recycling processes for use on lawns, in toilets, and for washing cars.

Insulating roofs, pipes, HVAC duct work, and mechanical equipment.

Installing other green building technologies such as hot water heat recycling, renewable heating systems, seasonal thermal storage systems, and solar air conditioning, green roofs, and cool roofs.

CERTIFICATION OF NEED

It has been determined that the practical solution to achieving the identified building energy and water management goals is to proceed with the energy and water retrofit work indicated above.

Submitted at Washington, DC, on June 11, 2009.

Recommended:— — —Acting Commissioner, Public Building Service

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

ALTERATION—FIRE PROTECTION & LIFE SAFETY PROGRAM—VARIOUS BUILDINGS—PFP–2010

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for alterations to upgrade, replace, and improve life safety features and fire protection systems in Government-owned buildings during fiscal year 2010, at a proposed cost of $20,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that, to the maximum extent practicable, the Administrator of General Services shall require that the procurement includes minimum performance requirements requiring energy efficiency and the use of renewable energy.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PROGRAM SUMMARY

This prospectus proposes alterations to upgrade, replace, and improve life safety features and fire protection systems in Government-owned buildings during Fiscal Year 2010. Projects in federal buildings throughout the country are currently being identified through surveys and studies and will vary in size, location, and delivery method. The authority requested in this prospectus is for a diverse set of retrofit projects with engineering solutions to reduce fire and life safety hazards. Typical projects include the following:

Replacing antiquated fire alarm and detection systems that are in need of repair or for which parts are no longer available.

Installing emergency voice communication systems to facilitate occupant notification and/or evacuation.

Installing and/or expanding fire sprinkler coverage to protect federal property.

Constructing additional or enclosing existing exit stair towers to ensure timely evacuation of buildings in the event of an emergency.

JUSTIFICATION

GSA conducts periodic life safety and fire protection assessments of federal buildings nationwide to assess fire risk. As a result of these assessments, a number of life safety and fire protection issues have been identified that need to be addressed in order to reduce the risk of injury, the loss of federal property, and interruption of a federal agency mission.

This prospectus will provide upgrades to a number of GSA federal buildings that do not meet current or national or GSA building fire alarm codes. These buildings contain antiquated hardwired fire alarm systems with replacement parts that are no longer available, lack voice communication capability, and a complete sprinkler system.

Authorization Requested—$20,000,000.

CERTIFICATION OF NEED

It has been determined that the practical solution to achieving the identified building fire and life safety goals is to proceed with the fire and life safety work indicated above.

Submitted at Washington, DC, on June 11, 2009.

Recommended: — — — Acting Commissioner, Public Buildings Service.

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

ALTERATION—NEW EXECUTIVE OFFICE BUILDING—WASHINGTON, DC—PDC–0105–WA10

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations to the New Executive Office Building, located at 725 17th Street, NW., in Washington, D.C., at design and review costs of $394,000 (design costs of $451,000 were previously authorized), management and inspections costs of $6,257,000 {management and inspection costs of $423,000 were previously authorized), and estimated construction costs of $23,625,000 (estimated construction costs of $5,388,000 were previously authorized), at a proposed total cost of $30,276,000, a prospectus for which is attached to and included in this resolution. This resolution amends the Committee resolution of July 21, 2004.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of approval of this resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rationale for GSA's decision.

Provided further, that beginning on the date of approval of this resolution, GSA shall, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out alteration, design, or construction projects.

Provided further, that beginning on the date of approval of this resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

PROJECT SUMMARY

The General Services Administration (GSA), proposes to amend Prospectus PDC–

0105–DC05 due to changes in scope, internal swing space requirements, material escalations, and security escort costs not originally contemplated for the New Executive Office Building located at 725 17th Street, NW in Washington, DC.

MAJOR WORK ITEMS

HVAC system upgrades, demolition and abatement, interior construction, internal swing space build out, fire protection alarm, lighting and branch wiring, communications, superstructure.

PROJECT BUDGET

Design and Review	
Design and Review (FY2005)	$451,000
Additional Design (FY2010 Request)	394,000
Design and Review Subtotal	845,000
Management and Inspection (M&I)	
M&I (FY2005)	423,000
Additional M&I (FY2010 Request)	6,257,000
M&I Subtotal	6,680,000
Estimated Construction Cost (ECC)	
ECC (FY2005)	5,388,000
Additional ECC (FY2010 Request)	23,625,000
ECC Subtotal	29,013,000
Estimated Total Project Cost*	36,538,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Authorization Requested (Additional—Design, ECC and M&I)—$30,276,000.

PRIOR AUTHORITY AND FUNDING

The House Committee on Transportation and Infrastructure authorized $6,262,000 for design, construction and management and inspection on July 21, 2004.

The Senate Committee on Environment and Public Works authorized $6,262,000 for design, construction and management and inspection on November 17, 2004.

Through Public Law 108–447, Congress appropriated $6,262,000 for design, construction and management and inspection in FY 2005.

PRIOR PROSPECTUS-LEVEL PROJECTS IN BUILDING (PAST 10 YEARS):

None.

Schedule	Start	End
Design	FY2005	FY2009
Construction	FY2010	FY2012

BUILDING

The New Executive Office Building is a 10-story reinforced concrete building with a red brick façade. The building which is proximate to the White House Complex, a desirable feature for the building's tenants, was constructed in 1966. The building has approximately 432,131 gsf with 110 parking spaces.

MAJOR TENANT AGENCIES

Executive Office of the President—Office of Management and Budget, Defense—Office of the Secretary; Department of Homeland Security—U.S. Secret Service.

PROPOSED PROJECT

The proposed project will replace components of the existing HVAC system. The fan coil units (FCUs) on the ninth and tenth floors will be replaced, along with deteriorated black iron riser piping from the third through tenth floors.

In addition to replacing the existing perimeter riser system, asbestos-containing material (ACM) shall be abated. To avoid potential hazardous exposure from the asbestos abatement, GSA will create internal swing space for the tenant agency to temporarily relocate from the ninth and tenth floors. Costs to build out the temporary space, and tenant moves including relocation of the telecommunication equipment, and the furniture are included in this prospectus.

Funds for escort security costs during construction are requested due to the sensitive nature of the customers' operations. Access to the project site will be limited to cleared escorted personnel.

Superstructure work will cover firestopping (insulation and sealing) of the pipe penetrations on each floor.

As the ceilings are demolished, new energy efficient lights will replace the existing lighting and wiring. Project specifications include the replacement of ceiling panels with a panel product which includes approximately seventy-five percent recycled content and finished with paint composed of low volatile organic compounds (VOC).

In 2002, a project replaced the FCUs except those on the ninth and tenth floors. The FCUs on floors nine and ten were not replaced at that time because the coils are located in the ceiling plenum. The ninth floor ceiling plenum is insulated with sprayed-on fireproofing containing asbestos which needs to be abated prior to construction. The initial project revealed that the riser piping along with its branches and valves have deteriorated and should be replaced.

MAJOR WORK ITEMS

HVAC Upgrades	$16,972,000
Building Demolition and Abatement	3,317,000
Interior Construction	4,679,000
Internal Swing Space Build Out	546,000
Fire Protection Alarm	628,000
Lighting and Branch Wiring	1,704,000
Communications	980,000
Superstructure	187,000
Total ECC	$29,013,000

JUSTIFICATION

Congress previously authorized this project in fiscal year 2005; however, the project scope increased pursuant to review of the 35% design completion, which uncovered logistical difficulties in maintaining customer operations during construction as originally scoped. Initial estimates did not fully capture the complexities of construction in the occupied building. The project scope is therefore increased to include: additional upgrades for the heating, ventilating and air-conditioning components and controls; security escorts required during construction; customer move expenses; and materials escalation costs.

After further investigation of the piping and FCUs, additional equipment and operating deficiencies were identified. Most of these deficiencies are related to equipment having reached the end of its useful life and some are a result of previous renovations that did not include certain adjustments to the HVAC system that might have been incorporated in larger projects.

Significant leaks due to the deterioration of the risers have resulted in extensive damage and disruption to agency operations. A major leak in August 2006 caused a day-long building shutdown and tenant productivity losses, as well as extensive damage to the tenant's space. Riser failures should be considered eminent and leaks could again cause extensive damage and interruption to the tenant's missions which are critical to the operation of the Executive Office of the President.

The upgraded HVAC work will provide increases in energy efficiency and will provide improved controls and monitoring by utilizing newer state of the art technology.

The recent implementation of HSPD–12 and the customer's need for security escorts during construction must now be accommodated.

Customer moves are required in order to abate the asbestos and install the new fan coil units and variable frequency drives located in the ceilings on the 9th and 10th floors. It is necessary to remove the ceilings in their entirety including lights, sprinklers and fire alarms, and telecommunication equipment.

Materials escalation will be necessary because construction will proceed in four phases to accommodate OMB's time sensitive operations. This lengthens the project delivery schedule and is a reason for the increase in cost.

ALTERNATIVES CONSIDERED (30-YEAR, PRESENT VALUE COST ANALYSIS)

There are no feasible alternatives to this project.

RECOMMENDATION

Alteration.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009.

Recommended: — — —, Acting Commissioner, Public Buildings Service.

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

ALTERATION—DWIGHT D. EISENHOWER EXECUTIVE OFFICE BUILDING—WASHINGTON, DC—PDC–0035–WA10

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations to the Dwight D. Eisenhower Office Building located at Pennsylvania Avenue and 17th Street, NW, in Washington, D.C., at design and review costs of $1,050,000, at management and inspections costs of $1,800,000, and estimated construction costs of $12,150,000, at a proposed total cost of $15,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of approval of this resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rational for GSA's decision.

Provided further, that beginning on the date of approval of this resolution, GSA shall, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out alteration, design, or construction projects.

Provided further, that beginning on the date of approval of this resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

PROJECT SUMMARY

The General Services Administration (GSA) proposes a comprehensive roof replacement to the Dwight D. Eisenhower Executive Office Building (EEOB) located at Pennsylvania Ave and 17th Street, NW, in Washington, DC.

MAJOR WORK ITEMS

Building roofing systems repairs and select systems replacement activities including; flat seam copper roofing replacement; skylight repairs and replacement; dormer and chimney repairs; lightning protection; flashing systems repairs and/or replacement and slate repairs and/or replacement.

PROJECT BUDGET

Design and Review	$1,050,000
Estimated Construction Cost (ECC)	12,150,000
Management and Inspection (M&I)	1,800,000
Estimated Total Project Cost (ETPC)*	$15,000,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Authorization Requested (Design, ECC, M&I)—$15,000,000.

PRIOR AUTHORITY AND FUNDING

None.

Schedule	Start	End
Design	FY2010	FY2010
Construction	FY2010	FY2011

BUILDING

The EEOB, constructed in 1888, is on the National Register of Historic Places. This building functions as the principal support facility for the White House operations, offering 691,783 gross square feet and 46 outside parking spaces.

TENANT AGENCIES

Executive Office of the President of the United States, Department of Homeland Security, Department of Defense and General Services Administration

PROPOSED PROJECT

The existing roof design is a complex mansard system with flat, vertical and angled surfaces; multiple peaks, valleys, changes in plane and flashing connections, dormers, chimneys, skylights, domes, and other impressive architectural details. The long term replacement tasks include repairs, replacement and/or new installation of all; skylights, flat seam copper roofing, lightning protection, cast iron dormer metals, chimney trim and flashings, other roof flashing and counter flashing components and miscellaneous sealants and appurtenances.

MAJOR WORK ITEMS

Flat Seam Copper Roofing	$6,339,000
Skylight Repair	2,641,000
Dormer and Chimney Repair	1,585,000
Lightning Protection	528,000
Flashing and Slate Replacement	1,057,000
Total ECC	$12,150,000

JUSTIFICATION

The EEOB roofing system was partially repaired and replaced under a major project completed during 1988–1994. The previous scope of work in the most recent multi phased project did not provide for or include, the installation of roof-access traffic ways, maintenance platforms, waterproof mission-critical equipment installations, a permanent and available fall protection system, gutter/downspout and rain water conductor piping. Foot traffic, to accomplish maintenance of the roofing system and other work, has exacerbated damage, resulting in hundreds of leaks throughout the building.

SUMMARY OF ENERGY COMPLIANCE

The EEOB roof replacement will implement design principles to be integrated as seamlessly as possible into all aspects of both the design and construction process, Currently we are looking at options that will achieve the goal of obtaining certification through the Leadership in Energy and Environmental Design (LEED) Green Building Rating System of the U.S. Green Building Council.

ALTERNATIVES CONSIDERED (30-YEAR, PRESENT VALUE COST ANALYSIS)

There are no feasible alternatives to this project.

RECOMMENDATION

Alteration.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009.

Recommended: — — — Acting Commissioner, Public Buildings Service.

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

ALTERATION—WEST AND EAST WING INFRASTRUCTURE SYSTEMS REPLACEMENT—WASHINGTON, DC—PDC–0017–WA10

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives that, pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to the New Executive Office Building, located at 725 17th Street, NW, in Washington, DC, at design costs of $18,687,000 (design costs of $22,179,000 were previously authorized), at management and inspections costs of $14,504,000 (management and inspection costs of $12,416,000 were previously authorized), and estimated construction costs of $164,159,000 (estimated construction costs of $144,271,000 were previously authorized), at a proposed total cost of $197,350,000, a prospectus for which is attached to and included in this resolution. This resolution amends the Committee resolution of September 24, 2008.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of approval of this resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rational for GSA's decision.

Provided further, that beginning on the date of approval of this resolution, GSA shall, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out alteration, design, or construction projects.

Provided further, that beginning on the date of approval of this resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

PROJECT SUMMARY

The General Services Administration (GSA) proposes to amend prospectus number PDC0017–WAO9 for repair and alterations to the West Wing of the White House to include the East Wing of the White House located at 1600 Pennsylvania Avenue, NW, Washington, DC. GSA re-examined the original plan and phases to implement critical changes at the West Wing and upon that evaluation recognized that completing the West and East Wing primary system replacement together given the similarity of scope was the most cost and time efficient approach.

MAJOR WORK ITEMS

Demolition and abatement, site work, structural and finishes work, fire suppression system, mechanical systems to include HVAC and Chemical Biological Radiological (CBR), electrical systems and fire alarm, physical security and information technology systems.

PROJECT BUDGET

Design and Review	
Phase I (FY2008 Reprogramming—West Wing Ph I)	$9,689,000
Additional Phase I (FY09 Proposed Reprogramming—East Wing Ph I)	16,860,000
Phase II (future fiscal year—West Wing Ph II)	6,245,000
Phase III (future fiscal year—East Wing Ph II)	8,072,000
Design and Review Subtotal	$40,866,000
Estimated Construction Cost (ECC)	
Phase I (FY2009—West Wing PH I	$70,271,000
Additional Phase I ECC (FY2010 Request—East Wing PH I)	111,177,000
Phase II (future fiscal year—West Wing Ph II)	74,000,000
Phase III (future fiscal year—East Wing Ph II)	52,982,000
ECC Subtotal	$308,430,000
Management and Inspection (M&I)	
Phase I (FY2009—West Wing Ph I)	$6,216,000
Additional Phase I M&I (FY2010 Request—East Wing Ph $)	9,823,000
Phase II (future fiscal year—West Wing Ph II)	6,200,000
Phase III (future fiscal year—East Wing Ph II)	4,681,000
M&I Subtotal	$26,920,000
Estimated Total Project Cost*	$376,216,000

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Additional Authorization Requested (Design, ECC, M&I)—$203,595,000.[1]

[1]This request is for the balance of authorization required for the East Wing portion of the project. The West Wing portion has been fully authorized.

FY2010 Funding Requested (Additional Phase I ECC and M&I)—$121,000,000.

PRIOR AUTHORITY AND FUNDING

The House and Senate Appropriations Committees approved a reprogramming request of $9,689,000 for design for the West Wing portion of the project in FY2008.

The House Committee on Transportation and Infrastructure authorized $15,934,000 for design for the West Wing portion of the project on September 24, 2008.

The House Committee on Transportation and Infrastructure authorized $162,932,000 for design construction and management and inspection for the West Wing portion of the project on September 24, 2008.

The Senate Committee on Environment and Public Works authorized $172,621,000 for design, construction and management and inspection for the West Wing portion of the project on May 21, 2008.

Through Public Law 111–8, Congress appropriated $76,487,000 for partial construction and management and inspection in FY2009.

PRIOR PROSPECTUS-LEVEL PROJECTS IN BUILDING (PAST 10 YEARS)

None.

Schedule	Start	End
Design	FY2008	FY2013
Construction	FY2010	FY2016.

BUILDING

Originally constructed in 1902, the West Wing is the part of the White House in which the Oval Office, the Cabinet Room and the Situation Room are located. It serves as the day-to-day office of the President of the United States. It is roughly 30,000 gross square feet and includes offices for senior members of the Executive Office of the President of the United States and their support staff.

The East Wing as it exists today was added to the White House in 1942 and serves as office space for the First Lady and her staff, the Department of Defense, and the United States Secret Service. The East Wing also includes the President's Theater, the visitor's entrance and the East Colonnade.

TENANT AGENCY

Executive Office of the President of the United States.

PROPOSED PROJECT

A study of the electrical and mechanical systems of the West Wing was completed and the findings identified a critical need for the immediate replacement of the aged and failing systems in order to prevent an imminent equipment failure and the resultant interruption of services. There is currently no redundant HVAC equipment for the West Wing and this has prevented shutdown for testing and maintenance of the equipment for many years. The West Wing electrical systems have also reached the end of their reliable productivity and failure would result in discontinued operations.

Similar studies have been undertaken and completed on the East Wing and indicate the condition of the utilities in the East Wing is similar to the West Wing, replacement is necessary to prevent imminent failure. In order to secure continuous reliable HVAC and electrical service to both the West and East Wing, GSA proposes replacing all primary systems and secondary distribution systems that serve the interior of the each wing.

While the projects were originally planned as separate projects, GSA is now planning to combine the replacement of the primary systems for the West and East Wing in Phase I of the project. The replacement of the secondary distribution systems for the West and East Wings will follow in Phase II and Phase III, respectively.

The proposed total project includes the construction of a new accessible, utility pathway to allow for the service and maintenance of the new systems infrastructure. As there is currently no space available in the building to accommodate any additional equipment, the project will include the construction of new mechanical and electrical rooms to support the new services. Select structural and architectural restoration of areas that are disturbed in the systems replacement will be included. Fire life safety upgrades including automatic fire suppression and fire alarm systems. Mechanical work includes HVAC systems and controls, CBR systems, plumbing storm and sewer systems. Electrical power, lighting, select emergency power and lighting and select UPS systems. Physical security system includes; access control, intrusion detection, video assessment and emergency notifications systems. Both copper and fiber optic backbones are included for the IT systems infrastructure.

All utility services will be rerouted to allow the GSA necessary access to operate, maintain, and repair infrastructure, services and equipment as required.

MAJOR WORK ITEMS

Site Work	$41,298,000
Structural and Finishes Work	68,356,000
Fire Suppression System	16,062,000
Mechanical Systems	87,479,000
Electrical System & Fire Alarm, Physical Security and IT Systems	78,560,000
Demolition/Abatement	16,675,000
Total ECC	$308,430,000

JUSTIFICATION

GSA completed a systems evaluation and technical study of the physical plant, infrastructure and facilities serving each wing as well as select systems and equipment resulting in sequential projects. While the projects were originally planned as separate projects, GSA and the Administration have determined that combining the West and East Wing primary systems replacement projects together would be more cost effective by eliminating duplicate costs for mobilization, demobilization, remobilization, management, inspections and reduced construction time and cost. In addition, the combined projects create less disruption to mission critical operations given the connection, continuation and extension of similar utilities and infrastructure scope of work connecting West Wing services with the East Wing. A provision will be made in the design of West Wing Phase I for the replacement of the secondary distribution systems for the West and East Wings that will follow in Phase II and Phase III, respectively.

SUMMARY OF ENERGY COMPLIANCE

The West and East Wing Infrastructure Project will integrate and implement sustainable design principles and energy efficiency effort as seamlessly as possible into all aspects of both the design and construction process. The goal is to obtain certification through the Leadership in Energy and Environmental Design (LEED) Green Building Rating System of the U.S. Green Building Council.

ALTERNATIVES CONSIDERED (30-YEAR, PRESENT VALUE COST ANALYSIS)

There are no feasible alternatives to this project.

RECOMMENDATION

Alteration.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009.

Recommended: — — — Acting Commissioner, Public Buildings Service.

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

AMENDED PROSPECTUS—CONSTRUCTION—UNITED STATES COURTHOUSE ANNEX—SAN DIEGO, CA—PCA–CTC–SD09

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. §3307, additional appropriations in the amount of $78,000,000 are authorized for management and inspection and construction of the United States Courthouse Annex, San Diego, California, not to exceed 466,886 gross square feet. This resolution amends the Transportation and Infrastructure Committee resolution dated July 19, 2006;

Provided, that the Administrator of General Services shall ensure that the San Diego, California Courthouse Complex contains no more than 22 courtrooms;

Provided further, that the Administrator of General Services shall not construct more than six courtrooms or 12 chambers in the San Diego, California Courthouse Annex under the authority of this resolution;

Provided further, that the Administrator of General Services shall ensure that a sharing plan approved by the Judicial Conference on September 15, 2009, for courtrooms for magistrate judges is adopted within 30 days of this resolution and is implemented in the design of the San Diego Courthouse Complex;

Provided further, that the Administrator of General Services shall require that any excess space not allocated to courtroom or other court-related use in the San Diego, California Courthouse Annex shall be used to provide office space to Executive Branch agencies that are not ancillary or related to the Federal judiciary;

Provided further, that the Administrator of General Services shall submit a prospectus for any additional expansion space, after completion of construction and occupancy of the San Diego Courthouse Annex, for court or other court-related use requested in the San Diego, California Courthouse Annex;

Provided further, that, prior to acceptance of the Guaranteed Maximum Price (GMP), the Administrator of General Services shall advise the Committee on Transportation and Infrastructure of the number of courtrooms, chambers, court space, court related space, and other agency space to be provided in the San Diego, California Courthouse Annex;

Provided further, that no additional funds, beyond the GMP, in effect on the date of this resolution, for the procurement for the construction of the San Diego, California Courthouse Annex, as of the date of adoption of this resolution, shall be authorized or obligated for the project,

Provided further, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project,

Provided further, that, within 180 days of adoption of this resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for the project and if such systems are not used for the project, the specific rationale for GSA's decision.

DESCRIPTION

The General Services Administration (GSA) proposes the construction of a 466,886 gross square foot U.S. Courthouse Annex (CT Annex), including 105 inside parking spaces,

in San Diego, CA. The CT Annex will meet the 30-year space needs of the courts and court-related agencies in conjunction with the existing Edward J. Schwartz Federal Building and U.S. Courthouse (FBCT). San Diego was one of the four emergency projects on the Judiciary's Revised Five-Year Courthouse Project Plan—FY2005–2009, approved by the Judicial Conference on March 26, 2004.

PROJECT SUMMARY

Site Information	
Site acquired	2.27 acres
Building Area	
Gross square feet (excluding inside parking)	419,636
Gross square feet (including inside parking)	466,886
Project Budget	
Site (FY1999, 2002, 2003, 2005)	$31,916,000
Design (FY2003, 2006)	13,711,000
Management and Inspection (M&I) (FY2006)	7,740,000
Additional M&I	2,260,000
Estimated Construction Cost (ECC) (FY2006)	$248,816,000
Additional ECC	108,102,000
Total ECC ($760/gsf including inside parking [1])	356,918,000
Estimated Total Project Cost*	$412,545,000

[1] The ECC/gsf does not include $2.3 million for repair and alteration work to the Edward J. Schwartz Federal Building & U.S. Courthouse to re-orient the public entrance to face the proposed annex which is included in the Total ECC.

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Authorization Requested (Additional ECC & M&I)—$110,362,000.

FY2009 Funding Requested—$110,362,000.

PRIOR AUTHORITY AND FUNDING

The House Transportation and Infrastructure Committee authorized $302,183,000:

$15,400,000 for site on July 23, 1998; $3,100,000 for site and $11,237,000 for design, or $14,337,000, for a 583,746 gsf Courthouse Annex, including 46 inside parking spaces, on July 8, 2001; $9,360,000 for additional site and $204,000 for additional design for a 583,746 gsf Courthouse Annex, including 46 inside parking spaces, on July 24, 2002; $2,516,000 for additional site and $552,000 for additional design, or $3,068,000, for a 614,394 gsf Courthouse Annex, including 105 inside parking spaces, on July 21, 2004; and $1,540,000 for additional site, $1,718,000 for additional design, $248,816,000 for construction, and $7,740,000 for management and inspection for a 466,886 gsf Courthouse Annex, including 105 inside parking spaces, on July 19, 2006.

The Senate Environment and Public Works Committee authorized $302,183,000: $15,400,000 for site on September 23, 1998; $3,100,000 for site and $11,237,000 for design, or $14,337,000, for a 583,746 gsf Courthouse Annex, including 46 inside parking spaces, on September 25, 2001; $9,360,000 for additional site and $204,000 for additional design for a 583,746 gsf Courthouse Annex, including 46 inside parking spaces, on September 26, 2002; $2,516,000 for additional site and $552,000 for additional design, or $3,068,000, for a 614,394 gsf Courthouse Annex, including 105 inside parking spaces, on November 17, 2004; $1,540,000 for additional site, $1,718,000 for additional design, $221,345,000 for construction, and $7,740,000 for management and inspection for a 619,644 gsf Courthouse Annex, including 105 inside parking spaces, on July 20, 2005; and $27,471,000 for additional construction for a 466,886 gsf Courthouse Annex, including 105 inside parking spaces, on May 23, 2006.

Funding is $302,183,000:

Congress appropriated $273,172,000: $15,400,000 for FY 1999 (Public Law 105–277), $23,901,000 for FY 2003 (Public Law 108–7); $3,068,000 for FY 2005 (Public Law 108–447); and $230,803,000 for FY 2006 (Public Law 109–115).

GSA reprogrammed $29,011,000: $1,540,000 to the project in FY 2002 and $27,471,000 to the project in FY 2006.

SCHEDULE

FY 1998—Site.
FY 2003—Design.
FY 2009—Construction.
FY 2013—Occupancy.

OVERVIEW OF PROJECT

In fiscal year 2006, GSA submitted a prospectus for a CT Annex providing 619,644 gross square feet of space (PCA-CTC-SD06). Due to increased construction materials costs, GSA and the District Court agreed to reduce the scope of this project. GSA submitted an amended prospectus with a revised plan (PCA-CTC-SD07). Under this revised plan, GSA eliminated six proposed floors of the building. The number of proposed district courtrooms, but not chambers, was reduced from 18 to 14 and the number of appellate chambers was reduced from 3 to 2 in the 10-year program. The proposed expansion district courtrooms, but not chambers, were reduced from 5 to 0 in the 30-year program. The new CT Annex will provide 466,886 gross square feet, 152,758 gross square feet less than the original construction prospectus for this project. After submitting the revised plan, GSA encountered additional difficulty and was unable to award the reduced project. Due to continuing materials escalation, limited bidding, market conditions, and further delays in award, GSA is seeking additional funding and authorization.

The CT Annex will provide 14 district courtrooms and 18 chambers, two Court of Appeals judges' chambers, a visiting district chamber, District Clerk's office, Pretrial Services and the U.S. Marshals Service. Pretrial Services will occupy space within the building until that space is needed for conversion to six additional district judge's chambers. The project will include modification of the entrance to the existing FB-CT. Currently, the lobby of this building is accessed from Front Street. The new access will be from the courtyard between the new CT Annex and the existing FB-CT. Also, construction will include a tunnel linking the existing FB-CT to the new CT Annex and an extension connecting the existing prisoner tunnel to the new CT Annex.

After completion of the CT Annex, the existing FB-CT will be retained to provide space for the magistrate, senior district, and two Court of Appeals judges. The U.S. Bankruptcy Court will continue to occupy the Jacob Weinberger Courthouse.

One Court of Appeals Judge, Pretrial Services and a portion of the U.S. Attorney's office are in leased locations in the downtown area. These leases will be extended or terminated to coincide with the occupancy of the new CT Annex.

TENANT AGENCIES

The CT Annex will house the District Judges, District Clerk, two Court of Appeals Judges, Pretrial Services, and the U.S. Marshals Service.

DELINEATED AREA

The CT Annex will be constructed in the Central Business District on a site adjacent to the existing FB-CT. This site has been acquired except for closing of Union and E Streets.

JUSTIFICATION

The District Court currently occupies space in the existing FB-CT. This building cannot accommodate the Courts' total space requirements and was not designed to accommodate needed expansion on the site. Some of the modifications to FB-CT resulted in less than adequate sized courtrooms that have been used for 13 years.

Federal construction of a new CT Annex in conjunction with continued use of the existing FB-CT is the most desirable housing strategy to meet the projected space needs of the Southern District Courts and court-related agencies in San Diego. The new CT Annex will improve the flow of prisoners, adequately house the district judges, and significantly increase security. Completion of the CT Annex will permit one Court of Appeals judge and Pretrial Services to vacate leased space.

The Judicial Conference, in September 2003, declared a space emergency at San Diego in order to recognize the effect of aggressive border enforcement initiatives on the court's facilities and the serious security and operational problems at this location.

The additional funds requested in this prospectus are due to increased construction material costs. During the past two years, the construction industry has experienced a significant increase in costs, primarily due to the increased demand for raw materials from construction in international markets and coastal communities in the United States affected by hurricanes. For example, construction material costs in the Southern California area have escalated by approximately 11 percent per year. Much of the raised access flooring in the building and metric measurement were eliminated in further efforts to reduce costs.

EXPLANATION OF CHANGES

The gross square footage of the project is the same as currently authorized. However, to provide one courtroom for every two senior judges, two senior district courtrooms in the existing building were reassigned for magistrate judge use. Also, the projected number of magistrate judges was reduced from 18 to 14. The reassignment and reduction means that there are now five unassigned courtrooms that will be used for ADR Suites and attorney conference rooms.

The Estimated Total Project Cost (ETPC) of the proposed project reflects an increase of $110,362,000 from the ETPC of the project currently authorized by the House and Senate Committees (which is the result of construction escalation and change in the projected start of construction from 2006 to 2009.)

DEPARTURES

2nd Special Proceedings Courtroom—This departure was identified in a previous prospectus signed on March 28, 2002 and approved by the House and Senate Committees on July 24, 2002 and September 26, 2002, respectively, and in subsequent resolutions. Approximate cost $1,000,000.

With eight courtrooms for four senior district judges, the project does comply with the July 19, 2006, resolution of the House Committee on Transportation and Infrastructure, which authorized the proposed project, requiring (via amendment to the U.S. Courts Design Guide) that each U.S. Courthouse construction project provide one courtroom for every two senior judges.

SPACE REQUIREMENTS OF THE U.S. COURTS

	Current		Request		
	Courtrooms	Judges	Courtrooms Existing Buildings	Courtrooms New Building	Judges
District					
Active	13	13	0	14	18
Senior	3	5	4	0	8
Visiting	0	2	0	0	1
Magistrate	*8	9	**19	0	14
Circuit	0	****3	0	0	4
Total:	24	32	***23	14	45

* These courtrooms do not meet minimum USCDG standards.
** Seven of these courtrooms do not meet minimum USCDG standards. The five unassigned courtrooms and chambers will be used as ADR Suites and attorney conference rooms.
*** One magistrate courtroom will be converted to a new lobby facing the new CT Annex.
**** One judge is in leased space.

SUMMARY OF ENERGY COMPLIANCE

This project is designed to meet the requirements of the Facilities Standards for the Public Buildings Service.

ALTERNATIVES CONSIDERED (30-YEAR, PRESENT VALUE COSTS)

New Construction: $340,927,000
Lease: $540,465,000

RECOMMENDATION—CONSTRUCTION

The 30-year, present value cost of construction is $199,538,000 less than the cost of leasing, an equivalent annual cost advantage of $13,129,000.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 26, 2008.

Recommended: — — —, Commissioner, Public Buildings Service.

Approved: — — —, Administrator, General Services Administration.

January 2008

Housing Plan
Courthouse Annex

SAN DIEGO, CA
PCA-CTC-SD09

Locations	Current							Proposed						
	Personnel		Usable Square Feet (USF)				RSF	Personnel		Usable Square Feet (USF)				RSF
	Office	Total	Office	Storage	Special	Total	Total	Office	Total	Office	Storage	Special	Total	Total
Schwartz Courthouse														
District Court	245	245	66,163	150	95,949	162,262	217,133	80	80	26,709	-	91,379	118,088	158,022
Court of Appeals	10	10	4,920	134	7,913	12,967	17,352	10	10	4,920	134	7,913	12,967	17,352
U.S. Marshals Service	65	65	15,511	423	19,942	35,876	48,008	66	66	18,083	810	20,945	39,838	53,310
US Attorney	310	310	85,040	3,284	12,147	100,471	134,447	410	410	107,881	6,104	10,661	124,646	166,798
U. S. Bankruptcy Court	-	-	-	-	-	-	-	6	6	1,000	-	4,200	5,200	6,958
Tax Court	11	11	128	-	434	562	751	11	11	675	-	1,050	1,725	2,308
DHS- Immig ; Customs	164	164	61,831	-	-	61,831	82,741	260	260	69,521	2,314	3,817	75,652	101,235
Exec Office of Immigr Review	6	6	2,811	-	155	2,966	3,969	6	6	2,811	-	155	2,966	3,969
IRS	202	202	46,578	387	3,180	50,145	67,103	210	210	55,600	2,035	2,099	59,734	79,933
Treasury Inspector General	3	3	445	-	-	445	595	3	3	417	18	19	454	608
Fed Bur of Investigations	1	1	153	-	-	153	205	1	1	127	-	-	127	170
GSA Public Bldgs Service	16	16	6,715	533	-	7,248	9,699	16	16	6,715	533	-	7,248	9,699
Federal Protective Service	6	6	2,062	-	-	2,062	2,759	10	10	2,294	100	-	2,394	3,204
Federal Technology Service	-	-	562	-	-	562	752	-	-	220	-	353	573	767
Joint Use	-	-	-	-	22,304	22,304	29,847	-	-	-	-	16,450	16,450	22,013
Vacant	-	-	8,208	-	-	8,208	10,984	-	-	-	-	-	-	-
Subtotal	1,039	1,039	301,127	4,911	162,024	468,062	626,345	1,089	1,089	296,973	12,048	159,041	468,062	626,345
Leased Space														
Court of Appeals	6	6	4,136	-	-	4,136	4,758	-	-	-	-	-	-	-
Pretrial Services	41	41	9,530	-	-	9,530	10,839	-	-	-	-	-	-	-
US Attorney	16	16	7,361	-	182	7,543	8,614	-	-	-	-	-	-	-
Subtotal	63	63	21,027	-	182	21,209	24,209	-	-	-	-	-	-	-
Courthouse Annex														
District Court	-	-	-	-	-	-	-	281	281	71,486	9,599	114,911	195,996	264,595
Court of Appeals	-	-	-	-	-	-	-	21	21	727	-	5,427	6,154	8,308
U.S. Marshals Service	-	-	-	-	-	-	-	145	145	33,483	6,010	16,305	55,778	75,300
Pretrial Services	-	-	-	-	-	-	-	76	76	15,301	515	2,183	17,999	24,299
GSA Public Bldgs Service	-	-	-	-	-	-	-	3	3	529	-	-	529	714
Federal Technology Service	-	-	-	-	-	-	-	-	-	-	-	400	400	540
Joint Use/Building Support	-	-	-	-	-	-	-	3	3	1,950	850	1,500	4,300	5,805
Subtotal	0	0	0	0	0	0	0	529	529	123,456	16,974	140,726	281,156	379,561
Total	1,102	1,102	322,154	4,911	162,206	489,271	650,554	1,618	1,618	420,429	29,022	299,767	749,218	1,005,906

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings and space available jointly to the occupants of the building (e.g. auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g. craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Special Space	USF
Laboratory	200
Holding Cells	13,648
Private Toilets	11,567
Physical Fitness	5,750
Conference	42,475
ADP	1,475
Courtroom	38,177
Judicial Hearing	1,446
Judicial Chambers	23,476
Food Service	2,512
TOTAL	140,726

ACQUISITION—COLUMBIA PLAZA BUILDING—WASHINGTON, DC—PDC–0000–WA10

Resolved by the Committee on Transportation and Infastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. 3307, appropriations are authorized for acquisition, through a purchase option, of the Columbia Plaza Building located at 2401 E Street, NW, Washington, D.C., at a proposed cost of $100,000,000, a prospectus for which is attached to and included in this resolution.

DESCRIPTION

The General Services Administration (GSA) proposes to acquire, through a purchase option, the Columbia Plaza Building located at 2401 E St., NW, Washington, DC. The government has an option to purchase the building at the set price of $100,000,000 at the end of the current lease term in 2012, provided 365 days notice has been given to the lessor.

BUILDING

The Columbia Plaza Building was constructed in the mid 1960s. Prior to the Department of State's (DOS) initial occupancy in 1992 the building underwent a major renovation converting the space from residential use to office use. GSA currently leases 511,500 rentable square feet and 361 parking spaces at Columbia Plaza for the DOS under a 20–year lease agreement that expires in April 2012.

PROJECT BUDGET

Building and Site Acquisition—$100,000,000.

Authorization Requested (Acquisition)—$100,000,000.

JUSTIFICATION

DOS and GSA signed a Memorandum of Understanding (MOU) in 1987 committing both agencies to consolidate DOS space and personnel in the Foggy Bottom area of the District of Columbia and Rosslyn, VA. The Columbia Plaza Building, located northwest of the Harry S Truman (Main State) Building, has been occupied for more than 20 years as a leased location. The Columbia Plaza Building's location in Foggy Bottom is directly adjacent to Main State and supports the goals of DOS as identified in the 1987 MOU. The building's proximity to both Main State and the approximately 3.5 million square feet DOS occupies in the Foggy Bottom area provides many operational benefits ranging from human resources, mobility in and around the State's Foggy Bottom locations, and efficiencies in facility operations through information technology linkages and security. Given all of these factors, DOS continues to have a long-term need for the space in the Columbia Plaza Building.

Alterations for $30,600,000 were completed in 1992 and the government currently operates virtually all aspects of the facility. GSA recently performed a Building Engineering Report (BER) for the Columbia Plaza Building which reported that the building is in fair overall condition. As part of the $30M investment in 1992, GSA was directed by Congressional resolution that ''GSA will attempt to include a purchase option in the lease contract''. GSA successfully negotiated a purchase option as part of the terms of the 20-year lease. The terms of the purchase option and price were set when the lease transaction was signed in 1992. The government's option to purchase the building is currently established at $100,000,000 or approximately $151 per gross square foot. This price is well below the current market rates for buildings of comparable size in Washington, DC, especially a building with long-term government occupancy. In 2006, GSA completed a fair market value (FMV) appraisal which indicated the FMV of Columbia Plaza Building to be approximately $190,000,000, well above the established option price to the government.

TENANT AGENCIES

Department of State.

ALTERNATIVES CONSIDERED (30-YEAR, PRESENT VALUE COST ANALYSIS)

Purchase—$317,305,000.

Lease—$513,447,000.

The 30-year, present value cost of purchase is $196,142,000 less than the cost of leasing, an equivalent annual cost advantage of $12,614,000.

RECOMMENDATION

Acquisition.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009.

Recommended: — — —, Acting Commissioner, Public Buildings Service.

Approved: Paul F. Prouter, Acting Administrator, General Services Administration.

DESIGN/BUILD—FEDERAL BUILDING–FBI DISTRICT OFFICE—MIAMI/MIRAMAR, FL—PFL–FBC–MI10

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for a new Federal Building in the Miami/Miramar, Florida area for the Federal Bureau of Investigation, currently located in twelve separate locations spread across the Miami, Miramar, and Dade County, Florida area, at site costs of $9,000,000, design and review costs of $11,924,000, management and inspection costs of $8,401,000 and estimated construction costs of $161,350,000, for a combined cost of $190,675,000, a prospectus for which is attached to and included in this resolution.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of approval of this resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rational for GSA's decision.

Provided further, that beginning on the date of approval of this resolution, GSA shall, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out alteration, design, or construction projects.

Provided further, that beginning on the date of approval of this resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

DESCRIPTION

The US General Services Administration proposes building a new Federal Building in the Miami/Miramar, Florida area for the Federal Bureau of Investigation (FBI). This facility will serve to meet the FBI's current and future space needs as their new District Office in South Florida, and will consolidate their current space spread across the Miami, Miramar, and Dade County, Florida area in twelve separate locations.

PROJECT SUMMARY

Site Information	
To be acquired acreage	9.0
Building Area	
Building without Parking (gsf)	474,801
Building with Parking (gsf)	474,801
Number of outside parking spaces	30
Structured Parking Spaces	535

PROJECT BUDGET

Site	$9,000,000
Design and Review Subtotal	11,924,000
Estimated Construction Cost (ECC) ($452/gsf incl. inside parking)	161,350,000
Management and Inspection (M&I)	8,401,000
Estimated Total Project Cost (ETPC)*	$190,675,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Authorization Requested (Design, ECC, and M&I)—$190,675,000.

FY 2010 Funding Request—$190,675,000.

Schedule	Start	End
Design	FY2010	FY2012
Construction	FY2011	FY2014

OVERVIEW OF PROJECT

The new Miami FBI District Office will provide for the space requirements and security needs for the FBI in the South Florida area. 535 secured structured parking spaces will be incorporated into the construction of the FBI District Office facility and made available to the FBI, primarily for the use of Government-owned vehicles and other official Government purposes. Surface parking spaces will also be provided.

TENANT AGENCIES

Department of Justice—Federal Bureau of Investigation

JUSTIFICATION

An important component of the priorities of the FBI is the availability of efficient and cost effective facilities, with state-of-the-art infrastructure in which to carry out the FBI's mission. FBI requires a facility that meets the Level 4 Interagency Security Committee (ISC) criteria, with sufficient space for the current and projected workforce. In addition, the expansion of the secure work environment is essential to foster synergy among FBI elements for greater coordination and productivity internally and with partner organizations. The existing, disparate FBI facilities are incapable of providing the increased square footage necessary to support new functions and cannot meet enhanced IT infrastructure and security requirements. A new, consolidated location will provide the FBI with sufficient space to meet its current requirements and allow for full compliance with the ISC guidelines.

The requirement for FBI's consolidated Miami Field Division office was originally to be included in the larger Miami/Miramar, FL DOJ lease consolidation, along with the Drug Enforcement Administration (DEA) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), as requested under PFL–01–MI06, and originally authorized by the House Committee on Transportation and Infrastructure on February 16,

2006, and the Senate Committee on Environment and Public Works on November 17, 2005. In 2007, it was determined by DOJ that the original consolidated campus strategy was no longer logistically or financially feasible. Therefore, GSA requested authority to procure DEA's requirements separately (Prospectus No. PFL–02–MI08), which were authorized by the House Committee on Transportation and Infrastructure on September 24, 2008, and the Senate Committee on Environment and Public Works on September 17, 2008. The ATF's requirements were delivered below the prospectus threshold. Given the size, complexity, long term nature, and other aspects of the FBI's requirements, GSA determined that a Federally owned facility would better serve the mission and operations of the Government.

SUMMARY OF ENERGY COMPLIANCE

This project will be designed to conform with the requirements of the Facilities Standards for the Public Buildings Service and to earn LEED certification. It will also meet Congressionally-required energy efficiency and performance requirements in effect during design. GSA will encourage exploration of opportunities to gain increased energy efficiency above the measures achieved in the design.

ALTERNATIVES CONSIDERED (30-YEAR, PRESENT VALUE COST ANALYSIS)

New Construction—$352,712,000.

Lease—$520,093,000.

The 30 year, present value cost of new construction is $167,380,000 less than the cost of lease, an equivalent annual cost advantage of $10,764,000.

RECOMMENDATION

Construction.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009.

Recommended: — — —, —Acting Commissioner, Public Buildings Service.

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

Housing Plan
Federal Bur[illegible] Investigation
M[illegible], FL

PF [illegible]-MI10

Locations	Current							Proposed						
	Personnel		*Usable Square Feet (USF)*				*RSF*	*Personnel*		*Usable Square Feet (USF)*				*RSF*
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**
GSA Leases														
16320 NW 2nd Ave Bldg - Miami, FL	604	604	91,704	2,000	26,104	**119,808**	**137,779**	0	0	0	0	0	0	0
Lincoln Square Bldg - Miami, FL	24	24	21,973	0	0	**21,973**	**25,269**	0	0	0	0	0	0	0
Flamingo Park of Commerce - Miramar, FL	13	13	29,800	0	0	**29,800**	**34,270**	0	0	0	0	0	0	0
FBI Leases		0							0					
Miramar Self Storage - Miramar, FL	0	0	0	600	0	**600**	**690**	0	0	0	0	0	0	0
16400 NW 2nd Ave Bldg - Miramar, FL	0	0	0	3,933	0	**3,933**	**4,523**	0	0	0	0	0	0	0
8245 NW 53rd Street - Miramar, FL	19	19	3,896	0	0	**3,896**	**4,480**	0	0	0	0	0	0	0
Southwest 6th Street - Plantation, FL	41	41	3,944	0	0	**3,944**	**4,536**	0	0	0	0	0	0	0
16320 NW 2nd Ave - Miami, FL	0	0	0	1,760	0	**1,760**	**2,024**	0	0	0	0	0	0	0
Tech Storage - Miami, FL	0	0	0	6,000	0	**6,000**	**6,900**	0	0	0	0	0	0	0
Health Care Warehouse - Miami,FL	0	0	0	5,355	0	**5,355**	**6,158**	0	0	0	0	0	0	0
Shared Space with Local Police Departments														
9105 25th Street NW - Miramar, FL	19	19	1,900	0	0	**1,900**	**2,185**	0	0	0	0	0	0	0
100 Southwest 3rd - Pompano Beach	13	13	2,000	0	0	**2,000**	**2,300**	0	0	0	0	0	0	0
NEW FBI DISTRICT OFFICE (FEDERALLY-OWNED)	0	0	0	0	0	**0**	**0**	890	890	195,738	85,150	74,300	355,188	437,926
Total:	**733**	**733**	**155,217**	**19,648**	**26,104**	**200,969**	**231,114**	**890**	**890**	**195,738**	**85,150**	**74,300**	**355,188**	**437,926**

	Current	Proposed
	Utilization	
Rate	165	172

Current UR excludes 34,148 USF of office support space
Proposed UR excludes 43,062 USF of office support space

Special Space	
Laboratory	1,000
Private Restrooms	750
Food Service	2,600
ADP	27,225
Conference/Training	11,200
Physical Fitness	4,500
Vehicle Bay/Maintenance	15,675
Boat Bay	4,000
Emergency Generator	300
Weapons/Ammo Vaults	700
Processing Rooms	3,350
Inside Parking/Garage	3,000
Total:	**74,300**

CONSTRUCTION—U.S. LAND PORT OF ENTRY—MADAWASKA, ME—PME–BSD–MW10

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for the construction of a new land port of entry at Madawaska, ME to replace the existing Port of Entry, at management and inspection costs of $3,827,000 and estimated construction costs of $46,300,000, for a combined cost of $50,127,000, a prospectus for which is attached to and included in this resolution.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of approval of this resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rational for GSA's decision.

Provided further, that beginning on the date of approval of this resolution, GSA shall, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out alteration, design, or construction projects.

Provided further, that beginning on the date of approval of this resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

DESCRIPTION

The General Services Administration (GSA) proposes the construction of a new land port of entry (POE) at Madawaska, ME to replace the existing POE, expand inspection lanes, and operational functions. The proposed project will replace the undersized main administration building at 2 Bridge Street, while addressing current safety, security, circulation, and efficiency issues.

Project Summary	
Site Information	
Government-owned	.87 acres
To be acquired	12.45 acres
Building Area	
Building (including canopies)	39,211 gsf
Building (excluding canopies)	28,756 gsf
Number of inside parking spaces	5 [1]
Number of outside parking spaces	48 [2]
Cost Information	
Site Development Cost [3]	$17,181,000
Building Costs (includes inspection canopies) ($743/gsf)	$29,119,000
Project Budget	
Site Acquisition (FY 2005 & FY 2008)	$14,406,000
Design and Review (FY 2005 & FY 2008)	4,514,000
Additional Design and Review (American Recovery and Reinvestment Act (ARRA) 2009)	750,000
Management and Inspection (M&I)	3,827,000
Estimated Construction Cost (ECC)	46,300,000
Estimated Total Project Cost*	$69,797,000

[1] The existing facility does not have any inside parking spaces.

[2] Parking spaces include 5 spaces for visitor parking, 30 for employees, 6 for referral and service, and 7 for truck inspection. Currently, there are 6 outside parking spaces at the facility.

[3] Site Development includes site clearing, demolition, roadways and utilities.

*Tenant agencies may fund an additional amount for emerging technologies and alterations above the standard normally provided by the GSA.

Authorization Requested (ECC and M&1)—$50,127,000.*

*GSA has worked closely with DHS program offices responsible for developing and implementing security technology at the Land Ports of Entry (LPOE's). These programs include United States Visitor and Immigrant Status Indicator Technology (US–VISIT), Radiation Portal Monitors (RPM's) and Advanced Spectroscopic Portal (ASPs) monitors, Western Hemisphere Travel initiative (WHTI) and Non-Intrusive Inspection (NII). This prospectus contains the funding of infrastructure requirements for each program known at the time of prospectus development since these programs are at various stages of development and implementation. Additional funding by a Reimbursable Work Authorization (RWA) may be required to provide for as yet unidentified elements of each of these programs to be implemented at this port.

PRIOR AUTHORITY AND FUNDING

The House Committee on Transportation and Infrastructure authorized $1,760,000 for site acquisition and design on July 21, 2004.

The Senate Committee on Environment and Public Works authorized $1,760,000 for site acquisition and design on November 17, 2004.

The House Committee on Transportation and Infrastructure authorized $17,600,000 for additional site acquisition and additional design on September 20, 2006.

The Senate Committee for Environment and Public Works authorized additional site acquisition and additional design on September 27, 2006.

Through Public Law 108–447, Congress appropriated $1,760,000 for site acquisition and design in FY 05 on December 8, 2004.

Through Public Law 110–161, Congress appropriated $17,160,000 for additional site acquisition and design on December 26, 2007.

Through Public Law 111–5, American Recovery and Reinvestment Act of 2009, GSA's Spending Plan included $750,000 for additional design.

Schedule	Start	End
Design	FY2008	FY2010
Construction	FY2010	FY2012

OVERVIEW OF PROJECT

This project will provide for the improvement and expansion to this POE on approximately 13.32 acres of land. GSA owns approximately .87 acres and will purchase an additional 12.45 acres. The scope of the project includes a total replacement of the existing original 6,000 gsf building built in 1959 with a new, multiple building facility totaling 28,756 gsf. The planned expansion includes: a 10,423 gsf main administration building; 1,275 gsf for 2 non-commercial inspection lanes and an enclosed secondary inspection bay; a 146 gsf outbound inspection booth; 12,753 gsf of commercial inspection offices, dock, cargo facility, inspection booth, a non-intrusive inspection (NII) facility; a 1,894 pedestrian processing facility; and 2,265 gsf of indoor parking.

TENANT AGENCIES

Department of Homeland Security (DHS)—Customs and Border Protection (CBP), Department of Health and Human Services (HHS)—Food and Drug Administration (FDA), and GSA.

LOCATION

The Madawaska land POE is located in northern Maine in Aroostook County, at 2 Bridge Street, at the international border between the United States and Canada separating the State of Maine and the Province of New Brunswick, and adjacent to the Canadian town of Edmundston.

JUSTIFICATION

The existing site at Madawaska is very small, situated on less than one acre of land and is geographically constrained by the St. Johns River, Nexfor Fraser Papers and the Montreal Maine & Atlantic Railroad. The planned addition of radiation portal monitors and other on-site inspection equipment will only exacerbate the situation as the existing site lacks sufficient staging and queuing areas. In addition, site parking and vehicle maneuvering areas are inadequate, the commercial truck traffic pattern, and visitor and employee parking are not clear and well defined, Existing site constraints imposed by the railroad and paper company, require that an elevated roadway be constructed to allow for a full inspection operation by CBP.

Madawaska is New England's third busiest port in automobile traffic and sixth busiest in truck traffic. On-site staffing has increased substantially since September 11, 2001, resulting in the need for additional space. The existing facility lacks sufficient office and storage space, as well as a secure area to perform standard interview and search procedures. There is no commercial secondary inspection area to perform a proper secondary inspection, which at times involves unloading a typical tractor-trailer. As a result, secondary truck inspections are done at roadside. This effort often causes traffic congestion that backs up onto the bridge.

SUMMARY OF ENERGY COMPLIANCE

This project is designed to conform with the requirements of the Facilities Standards for the Public Buildings Service and to earn Leadership in Energy and Environment Design (LEED) certification. It will also meet Congressionally-required energy efficiency and performance requirements in effect during design. GSA will encourage exploration of opportunities to gain increased energy efficiency above the measures achieved in the design.

ALTERNATIVES CONSIDERED

GSA owns and maintains the existing facilities at this port of entry; thus no alternative other than Federal construction was considered.

RECOMMENDATION

Construction.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009.

Recommended:— — — Acting Commissioner, Public Buildings Service.

Approved: Paul F. Prouty, Acting Administrator, General Services Administration.

Locations	Current							Proposed						
	Personnel		*Usable Square Feet (USF)*				*RSF*	*Personnel*		*Usable Square Feet (USF)*				*RSF*
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**
Madawaska LPOE														
DHS - Customs and Border Protection	9	9	4,144	1,082	0	5,226	7,348	29	29	20,309	3,791	2,447	26,547	26,547
GSA - PBS	1	1	165	505	0	670	942	1	1	519	453	0	972	972
HHS - Food and Drug Administration	0	0	0	0	0	0	0	1	1	64	453	720	1,237	1,237
Total:	**10**	**10**	**4,309**	**1,587**	**0**	**5,896**	**8,290**	**31**	**31**	**20,892**	**4,697**	**3,167**	**28,756**	**28,756**

Special Space	
Laboratory	720
Holding Cell	469
Restroom	361
Physical Fitness	768
Conference	599
Food Service	250
Total:	**3,167**

CONSTRUCTION—U.S. LAND PORT OF ENTRY—TORNILLO–GUADALUPE—EL PASO COUNTY, TX—PTX–BSC–TG10

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that, pursuant to 40 U.S.C. § 3307, appropriations are authorized for the construction of a new port of entry at Fabens-Casita in El Paso County, TX, at additional design costs of $3,800,000, management and inspections costs of $6,381,000 and estimated construction costs of $81,384,000, for a combined cost of $91,565,000, a prospectus for which is attached to and included in this resolution.

Provided, that, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, the General Services Administration (GSA) shall use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

Provided further, that within 180 days of approval of this resolution, GSA shall submit to the Committee on Transportation and Infrastructure of the U.S. House of Representatives and the Committee on Environment and Public Works of the U.S. Senate a report on the planned use of energy efficient and renewable energy systems, including photovoltaic systems, for such project and if such systems are not used for the project, the specific rational for GSA's decision.

Provided further, that beginning on the date of approval of this resolution, GSA shall, to the maximum extent practicable and considering life-cycle costs appropriate for the geographic area, use energy efficient and renewable energy systems, including photovoltaic systems, in carrying out alteration, design, or construction projects.

Provided further, that beginning on the date of approval of this resolution, each alteration, design, or construction prospectus submitted by GSA shall include an estimate of the future energy performance of the building and specific description of the use of energy efficient and renewable energy systems, including photovoltaic systems, in carrying out the project.

DESCRIPTION

The General Services Administration (GSA) proposes the construction of new port of entry (POE) facilities to replace the existing POE at Fabens-Casita in El Paso County, TX. The proposed facility will be known as the Tornillo-Guadalupe POE.

PROJECT SUMMARY

Site Information:	
Government-owned	6.3 acres
To be acquired	[1] 109 acres
Building Area:	
Building (including canopies)	86,596 gsf
Building (excluding canopies)	74,596 gsf
Number of outside parking spaces:	160
Cost Information	
Site Development Cost [2]	$63,512,000
Building Costs (includes inspection canopies) ($206/gsf)	$17,872,000

[1] Acreage is to be donated to GSA by El Paso County, TX.

[2] Site development costs include grading, utilities, paving and traffic control, drainage ponds and culverts (including piping and structures), lighting, and fencing.

PROJECT BUDGET

Design and Review (FY 2008)	$4,290,000
Additional Design	3,800,000
Management & Inspection (M&I)	6,381,000
Estimated Construction Cost (ECC)	81,384,000
Estimated Total Project Cost	$95,855,000

*Tenant agencies may fund an additional amount for emerging technologies and alterations above the standard normally provided by the GSA.

Authorization Requested (Additional Design, ECC, M&I) $91,565,000.*

GSA has worked closely with DHS program offices responsible for developing and implementing security technology at the Land Ports of Entry (LPOE's), These programs include United States Visitor and Immigrant Status Indicator Technology (US-VISIT), Radiation Portal Monitors (RPM's) and Advanced Spectroscoptic Portal (ASPs) monitors, Western Hemisphere Travel Initiative (WHTI) and Non-Intrusive Inspection (NII). This prospectus contains the funding of infrastructure requirements for each program known at the time of prospectus development since these programs are at various stages of development and implementation. Additional funding by a Reimbursable Work Authorization (RWA) may be required to provide for as yet unidentified elements of each of these programs to be implemented at this port.

PRIOR AUTHORITY AND FUNDING

The House Committee on Transportation and Infrastructure authorized $4,290,000 for design on May 23, 2007.

The Senate Committee on Environment and Public Works authorized $4,290,000 for design on September 20, 2007.

Through Public Law 110–161, Congress appropriated $4,290,000 for design on December 26, 2007.

Schedule	Start	End
Design	FY2008	FY2010
Construction	FY2010	FY2013

PROJECT OVERVIEW

The GSA proposes construction of the Tornillo-Guadalupe POE to support a new international bridge crossing for which the County of El Paso, TX, obtained a Presidential Permit on March 31, 2005. The County of El Paso will construct the bridge structure, while GSA proposes to construct the POE facilities. The proposed POE will include sufficient infrastructure and facilities to support present and future demand by privately owned vehicles (POV), pedestrian and commercial traffic, both northbound and southbound. Facilities to process POV, bus, and pedestrian traffic and inspections are to include: main administration building, headhouse, four primary POV and eight secondary inspection stations, a screened ''hard secondary'' area, bus disembark and reload areas, parking for staff, service and visitors, secondary inspection canopy, POV return lanes to Mexico, requisite Non-Invasive Inspection (NII) systems (VACIS II, radiation portal monitors (RPM) and license plate readers (LPR), etc.), seizure vehicle parking area, a booth for outlease to the Texas Alcoholic Beverage Commission, and a pedestrian parkway.

Facilities to support commercial traffic and inspections include: a commercial building, ten covered commercial docks, two primary inspection booths with a canopy and bypass lane, NII systems, hazardous materials containment area, exit booth, bulk cargo bin, Agriculture Quarantine Inspection (AQI), and narcotics storage. The facility will also provide an incinerator, kennel facilities, heliport, and communication tower. Additionally, inspection facilities for the Federal Motor Carrier Safety Administration (FMCSA) will be provided. The site will be fully secured by perimeter fencing and electronic surveillance. The existing Fabens POE will be demolished and the property will be integrated into the new proposed site at the location of the new bridge. Per the Presidential Permit, the County of El Paso will be responsible for demolition of the existing Fabens-Caseta bridge once the new bridge and POE facilities are complete.

The gross square footage requirement has increased by 8,451 square feet from the 78,145 square feet authorized for design in Prospectus PTX-BSD-TG08. The scope increase and need for additional design funding have resulted from additional requirements identified for NII systems, bird holding, security requirements, energy efficiency, and additional paving.

TENANT AGENCIES

Department of Homeland Security (DHS)-Customs and Border Protection (CBP), Department of Transportation (DOT)-Federal Motor Carrier Safety Administration (FMCSA), Texas Alcoholic Beverage Commission (TABC), and GSA.

LOCATION

The proposed location is approximately one-third mile northwest of the existing Fabens POE in El Paso County, TX.

JUSTIFICATION

The County of El Paso and its counterpart in Mexico are attempting to provide border residents with economic development opportunities and relief from the traffic backups at the congested POEs in downtown El Paso. A new facility has been determined to be needed in this area, primarily due to the processing constraints at the Fabens POE and the structural issues of the existing bridge. The proposed POE at Tornillo-Guadalupe will replace the existing port, which subsequently, will be demolished.

The existing Fabens-Caseta Bridge was constructed in 1938 and is not structurally sound enough to allow commercial vehicle crossings. The bridge is only 16 feet wide with a maximum permissible load level of 12 tons, cannot accommodate today's standard 15 to 20 tons, thereby limiting the Fabens port to processing only pedestrian and POV traffic. The existing facility is comprised of modular buildings which have reached full capacity and are unable to adequately support the needs of CBP. The Fabens modular buildings' lack of adequate space has hindered the ability of CBP to process, interview, segregate, and detain visitors to the U.S. Inefficiencies of the current facility include a domestic water system which requires water to be hauled from the nearby community. Water is only used for restrooms and hose bibs and bottled water is provided for employees to drink. Furthermore, the water system is not sufficient to provide fire-fighting capability even though the buildings have fire sprinklers. The existing septic system is not designed for the number of employees at the facility. Also, the main building does not have a public restroom.

The existing site has little utility infrastructure beyond single phase electrical power and copper telecommunications lines. The new facilities will require water, wastewater services, upgraded power, fiber optics, and natural gas. El Paso County, as part of the Presidential Permit application, has made the commitment to bring all necessary utility service to the edge of the property.

SUMMARY OF ENERGY COMPLIANCE

This project is designed to conform with the requirements of the Facilities Standards for the Public Buildings Service and to earn Leadership in Energy and Environmental Design (LEED) certification. It will also meet Congressionally-required energy efficiency and performance requirements in effect during design. GSA will encourage exploration

of opportunities to gain increased energy efficiency above the measures achieved in the design.

ALTERNATIVES CONSIDERED

GSA owns and maintains the existing facilities at this port of entry; thus no alternative other than Federal construction was considered.

RECOMMENDATION

Additional design and construction.

CERTIFICATION OF NEED

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 11, 2009.

Recommended — — —, Acting Commissioner, Public Buildings Service.

Approved Paul F. Prouty, Acting Administrator, General Services Administration.

May 2009

Housing Plan
US Lar rt of Entry

PTX-PSC-TG10
El Pasc nty, TX

Locations	Current*							Proposed						
	Personnel		*Usable Square Feet (USF)*				*RSF*	*Personnel*		*Usable Square Feet (USF)*				*RSF*
	Office	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**	**Office**	**Total**	**Office**	**Storage**	**Special**	**Total**	**Total**
New LPOE - Tornillo-Guadalupe														
DHS - CBP	24	24	2,750	0	8,024	10,774	10,774	122	122	9,613	303	54,178	64,094	67,237
DOT - Federal Motor Carrier Safety	0	0	0	0	0	0	0	4	4	1,366	0	6,616	7,982	8,219
GSA - PBS	0	0	0	0	0	0	0	1	1	100	0	900	1,000	1,150
Outlease - TABC	0	0	0	0	0	0	0	2	2	0	0	1,520	1,520	1,550
Total	**24**	**24**	**2,750**	**0**	**8,024**	**10,774**	**10,774**	**129**	**129**	**11,079**	**303**	**63,214**	**74,596**	**78,156**

* Current section depicts space at existing Fabens-Casita POE. The new Tornillo-Guadalupe facility will replace the facilities at Fabens Casita.

Special Space	
Laboratory	420
Holding Cell	790
Restroom	2,250
Physical Fitness	560
Conference	200
ADP	810
Food Service	578
Bird Holding	125
Vaults	315
Processing Area	1,000
Lockers	780
Secured Storage	300
Control Booth	704
Kennels	1,678
Dock	10,080
Inspection Canopy	40,784
Secured Room	900
Mail Rooms	40
GSA Shop	900
Total:	**63,214**

There was no objection.

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:

H.R. 905, by the yeas and nays;

H. Res. 16, by the yeas and nays;

Motion to Instruct on H.R. 2997, by the yeas and nays.

Votes on H.R. 2442, H.R. 1771, and H.R. 1053 will be taken later this week.

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

THUNDER BAY NATIONAL MARINE SANCTUARY AND UNDERWATER PRESERVE BOUNDARY MODIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 905, 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 gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 905, as amended.

The vote was taken by electronic device, and there were—yeas 286, nays 107, not voting 39, as follows:

[Roll No. 740]

YEAS—286

Ackerman
Aderholt
Adler (NJ)
Andrews
Arcuri
Austria
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Camp
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Giffords
Gonzalez
Gordon (TN)
Granger
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCaul
McCotter
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reichert
Reyes
Rodriguez
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shuler
Shuster
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wittman
Woolsey
Wu
Yarmuth

NAYS—107

Akin
Alexander
Altmire
Bachmann
Bartlett
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Blunt
Bonner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Campbell
Cantor
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Culberson
Davis (KY)
Deal (GA)
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey (GA)
Goodlatte
Graves
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Issa
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Lamborn
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nunes
Pitts
Poe (TX)
Posey
Rehberg
Roe (TN)
Rogers (AL)
Roskam
Scalise
Schmidt
Schock
Shadegg
Shimkus
Simpson
Smith (NE)
Stearns
Sullivan
Thompson (PA)
Thornberry
Tiahrt
Walden
Westmoreland
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—39

Abercrombie
Baca
Barrett (SC)
Boehner
Butterfield
Capuano
Conyers
Davis (IL)
Engel
Gerlach
Gohmert
Grayson
Harman
Israel
Jackson-Lee (TX)
Maloney
McCollum
Miller, George
Moran (VA)
Neugebauer
Ortiz
Paul
Pence
Radanovich
Richardson
Rohrabacher
Royce
Sarbanes
Sestak
Sires
Smith (WA)
Sutton
Teague
Tiberi
Wamp
Wasserman Schultz
Wexler
Whitfield
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1855

Mrs. EMERSON and Messrs. REHBERG, CULBERSON, MACK, STEARNS and MCKEON changed their vote from ''yea'' to ''nay.''

Mrs. BONO MACK and Mr. INGLIS changed their vote from ''nay'' to ''yea.''

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. GRAYSON. Mr. Speaker, on rollcall No. 740, H.R. 905, I missed this vote because of a delayed flight, and heavy traffic on the 14th Street Bridge. Had I been present, I would have voted "yea."

Stated against:

Mr. BOEHNER. Mr. Speaker, on rollcall No. 740 I was unavoidably detained. Had I been present, I would have voted "nay."

NATIONAL LIFE INSURANCE AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 16, 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 16.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 1, not voting 37, as follows:

[Roll No. 741]

YEAS—394

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cao

Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Young (AK)

NAYS—1

Stark

NOT VOTING—37

Abercrombie
Baca
Barrett (SC)
Butterfield
Cantor
Capuano
Conyers
Davis (IL)
DeFazio
Engel
Gerlach
Gohmert
Harman
Israel
Jackson-Lee (TX)
Maloney
McCollum
Miller, George
Moran (VA)
Neugebauer
Paul
Pence
Radanovich
Rogers (AL)
Rohrabacher
Sarbanes
Sestak
Sires
Slaughter
Sutton
Teague
Wamp
Wasserman Schultz
Wexler
Whitfield
Yarmuth
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

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.

MOTION TO INSTRUCT CONFEREES ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 2997 offered by the gentleman from Georgia (Mr. KINGSTON) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 359, nays 41, not voting 32, as follows:

[Roll No. 742]

YEAS—359

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
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Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
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Chaffetz
Chandler
Childers
Chu
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
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DeGette
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Diaz-Balart, M.
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Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
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Gonzalez
Goodlatte
Gordon (TN)
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Graves
Grayson
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Green, Gene
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Lance
Langevin
Larsen (WA)
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Latta
Lee (NY)
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Luetkemeyer
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Marchant
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McCaul
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Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
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Sarbanes
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Schiff
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Serrano
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Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Tanner
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Towns
Turner

Upton
Van Hollen
Walden
Walz
Watt
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Welch
Westmoreland
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Wilson (SC)
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Payne
Price (NC)
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Maloney
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Moran (VA)
Neugebauer
Paul
Pence
Radanovich
Rohrabacher
Sestak
Sires
Sutton
Taylor
Teague
Tierney
Wamp
Wasserman Schultz
Wexler
Whitfield
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1909

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

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

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Ms. DELAURO, Messrs. FARR, BOYD, BISHOP of Georgia, DAVIS of Tennessee, Ms. KAPTUR, Messrs. HINCHEY, JACKSON of Illinois, OBEY, KINGSTON, LATHAM, Mrs. EMERSON, Messrs. ALEXANDER and LEWIS of California.

There was no objection.

NO TROOP ESCALATION IN AFGHANISTAN

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

Mr. MCGOVERN. Madam Speaker, President Obama will soon decide whether to significantly escalate the number of U.S. troops deployed to Afghanistan. I urge him to exercise extreme caution and not increase America's military footprint in Afghanistan.

I was in Afghanistan right after the elections. Everyone admits there was massive fraud and that corruption is widespread in the government. Do we really expect to achieve long-term sustainable development in Afghanistan when the people have no confidence in their leaders? Can we develop and train a credible Afghanistan security force when many of its leaders are allied with warlords and drug lords?

Last Friday, 57 bipartisan Members of Congress sent a letter to the President asking him not to increase the number of U.S. combat troops in Afghanistan in the absence of a well-defined military exit strategy. If we're going to send our men and women to fight and die in Afghanistan for a corrupt and fraudulent government, then at least tell us when they will be able to come home.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 25, 2009.

Hon. BARACK OBAMA,
President of the United States, The White House, Pennsylvania Avenue, NW, Washington, DC.

DEAR MR. PRESIDENT: As you consider the latest assessment of U.S. military engagement in Afghanistan by General Stanley A. McChrystal, we urge you to reject any recommendation to increase the number of combat troops there, particularly in the absence of a well-defined military exit strategy.

We have enormous confidence in the ability of the U.S. military, but we question the effectiveness of committing our troops to a prolonged counterinsurgency war that could last ten years or more, involve hundreds of thousands of troops, and impose huge financial costs on taxpayers already saddled with trillions of dollars of government debt.

According to General Charles Krulak (retired), the 31st Commandant of the Marine Corps, the current strategy of protecting the people of Afghanistan with U.S. forces would require an escalation of several hundred thousand additional troops. He warns that our military has already been overburdened: ''Not only are our troops being run ragged but, equally important and totally off most people's radar screens, our equipment is being run ragged.'' It is unlikely that our NATO allies will be able to sustain the political support necessary for continuing such a mission placing even more of a burden on American forces and the American people.

2009 is already the deadliest year for U.S. forces since the war began eight years ago. Fifty-one of the seven hundred and thirty-eight U.S. soldiers who have lost their lives in Afghanistan were killed last month alone.

The national Afghanistan election that U.S. Ambassador Karl Eikenberry hoped would lead to a ''renewal of trust of the Afghan people for their government'' was a disaster and will almost certainly have the opposite effect. The official Electoral Complaints Commission in Afghanistan has announced that is has found ''clear and convincing evidence of fraud.'' A government already mired in allegations of widespread fraud and incompetence is now facing serious charges and compelling evidence that it has attempted to steal the national election.

A February 2009 ABC/BBC/ARD poll found that only 18 percent of Afghans support increasing the number of U.S. troops in their country. This should come as no surprise. Historically, Afghans have always forcefully resisted the presence of foreign military forces, be they British, Soviet or American. The presence of our forces strengthens the hand of Taliban recruiters. Indeed, an independent analysis early this year by the Carnegie Institute concluded that the presence of foreign troops is probably the single most important factor in the resurgence of the Taliban.

We support your administration's declared goals of defeating Al Qaeda and reducing the global terrorist threat. But, we believe that adding even more U.S. troops to the military escalation that your administration ordered in March would be counterproductive. We urge you to consider and pursue the full range of alternative options including applying the lessons of the Cold War where we isolate and contain those who pose a threat to our national security.

Mr. President, the last thing that our nation needs as it struggles with the pain of a severe economic crisis and a mountain of debt is another military quagmire. We believe that this is why recent polls consistently show that a majority of Americans are opposed to a military escalation in Afghanistan. We urge you to reject any recommendation for a further escalation of U.S. military forces there.

Sincerely,

James P. McGovern, Walter Jones, Ron Paul, Ed Whitfield, Neil Abercrombie, Jim McDermott, Pete Stark, Bruce Braley, Phil Hare, Raúl Grijalva, Lynn Woolsey, Lloyd Doggett, Bob Filner, John Olver, José Serrano, Barbara Lee, Jerry Costello, Ben Ray Lújan, Alan Grayson, Peter Welch.

Kurt Schrader, Tammy Baldwin, Ed Pastor, Yvette Clarke, Sheila Jackson Lee, John Lewis, Carolyn B. Maloney, Richard Neal, Diane Watson, John Conyers, Jr., Dennis Kucinich, Tim Johnson (IL), Steve Cohen, Keith Ellison, Donna Edwards, Laura Richardson, Michael Honda, Jan Schakowsky, Daniel Maffei, Steve Kagen.

Michael Capuano, Sam Farr, Chellie Pingree, Luis Gutíerrez, Maurice Hinchey, Maxine Waters, Mazie Hirono, Jared Polis, Roscoe Bartlett, John J. Duncan, Jr., Dana Rohrabacher, Mike Michaud, Earl Blumenauer, Rush Holt, Mike Quigley, Peter DeFazio, Jerrold Nadler.

MIAMI-DADE HEART ASSOCIATION LEADS THE WAY IN NATIONWIDE HEART WALK

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

Ms. ROS-LEHTINEN. Madam Speaker, the Miami-Dade Heart Association will hold its Miami-Dade Start! Heart Walk this Saturday, October 2, at the beautiful Tropical Park. Miami's walk is just one of nearly 400 similar events across our great country that will help the tremendous lifesaving activities of the American Heart Association. This major undertaking is designed to promote physical activity and heart-healthy living in a fun-loving atmosphere for the whole family. More than 1 million walkers from around the Nation are expected to participate in this massive effort to help those afflicted by the Nation's number one and the Nation's number three killers, heart disease and stroke.

The main reason behind the walk is to raise awareness that physical inactivity significantly increases the risk of heart disease and stroke. Seventy percent of Americans don't get enough exercise; and as a result, our waistbands have expanded and so have the number of preventable illnesses and health care costs.

Madam Speaker, both locally and nationally, the Heart Association is

showing the way to help improve our Nation's health care through this momentous endeavor. Let's all start walking this Saturday.

WALSH UNIVERSITY 50TH ANNIVERSARY CELEBRATION

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

Mr. BOCCIERI. Madam Speaker, this academic year represents a most momentous occasion for the 16th Congressional District of Ohio. We celebrate the 50th anniversary of the founding of Walsh University. On November 17, 1960, the six founding brothers of Walsh University brought their dream to life when Walsh College enrolled 67 male students united under the mission of creating leaders in public service and educating the working class.

Walsh's 50-year history is full of many highlights, but some stand out from the rest. In 1967 Walsh opened its doors to women and officially became coed. In 1981, Walsh established its first graduate program, offering a master of arts in counseling. In 1993, Walsh College became Walsh University, paving the way for further growth and expansion. Under the leadership of President Richard Jusseaume, the university has experienced unprecedented growth not only in enrollment but also in physical growth with the addition of several academic buildings, residence halls and athletic facilities.

Today, Walsh University offers more than 50 majors, six graduate programs, a doctorate program in physical therapy, and boasts four campuses throughout northeast Ohio, one just outside of Rome, Italy, and welcomes more than 3,000 students to our great district. We can only imagine what the next 50 years will bring, but I am certain a bright future lies ahead for Walsh University.

□ 1915

NATIONAL OVARIAN CANCER AWARENESS MONTH

(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 recognize September as National Ovarian Cancer Awareness Month.

This deadly disease hits 1 in every 72 women in the United States and is the fifth leading cause of cancer deaths among women.

As a husband, brother, and father, I believe it's of the utmost importance to call attention to this disease that hits 20,000 American women every year. In just 2008 alone, over 15,000 women died of ovarian cancer.

Cases of this deadly cancer can be very difficult to diagnose because of subtle symptoms that are sometimes confused with many other conditions. When it's detected, however, 9 out of 10 women will survive. However, only 19 percent of ovarian cancer cases in the United States are diagnosed at an early stage.

Let's not only remember those that we have lost to this deadly disease, but as this month ends, let's work together towards creating and improving treatments to save the lives of mothers, sisters, daughters, and all those around us that we love each day.

FCC WILL STIFLE INVESTMENT WITH NEW REGULATIONS

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

Ms. FOXX. Madam Speaker, yesterday The Washington Post published an editorial about recent rumblings at the Federal Communications Commission. It seems that the FCC Chairman is concerned about ''breaks and cracks'' in the Internet that pose a threat to openness. His prescription for these apparent fissures: the heavy hand of the Federal Government.

As a result, the FCC appears ready to hand down new regulations that will hinder Internet Service Providers' ability to manage their own networks. The rules would essentially regulate how ISPs manage network traffic. But this seems more like a solution in search of a problem. Or rather it's a solution that will create a problem by hamstringing network operators' ability to manage network congestion.

The Post is right to question the FCC's proposal. Such overregulation will only hamper additional investment by Internet providers, which could negatively affect rural areas like much of the district I represent.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Madam Speaker, because I was unavoidably detained with constituents, I would like to acknowledge that my vote would have been ''aye'' in roll call vote No. 737, the Medicare Premium Fairness Act, on Thursday, September 24, 2009.

Likewise, I was unavoidably detained in a meeting with the Vice President, and I would like to indicate that my votes today on passage of H.R. 905, Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act, roll call vote No. 740, would have been ''aye''; H. Res. 16, supporting the goals and ideals of the National Life Insurance Awareness Month, roll call vote 741, would have been ''aye''; and adoption of motion to instruct conferees on H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010, roll call vote 742, would have been ''no.''

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. HALVORSON). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the 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.)

THE WALL STREET BAILOUT: ''HEADS, WE WIN; TAILS, THE TAXPAYERS LOSE''

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Madam Speaker, a year ago we heard that the world financial system was on the verge of collapse. Congress was given a $700 billion Wall Street bailout plan that we were told was needed to avert catastrophe. After studying the legislation, I decided it contained too many loopholes and provided no guarantee that middle class Americans would be helped by this huge expenditure of their hard-earned money.

One year ago today, I stood here and voted against the bailout bill, and it failed. Unfortunately, later that week the Senate passed it, and it then passed the House on the second try. The bill had gotten no better; so I reluctantly voted against that bill again.

I believed it was the right thing to do then, and I am even more convinced of that today. Much of what I feared would happen if we passed the bailout has come to pass.

We still don't know what the banks have done with the billions they were given. Executives at firms the taxpayers propped up have taken home huge paychecks. Foreign banks wound up receiving taxpayer money. And, most importantly, unemployment has skyrocketed and is expected to go higher.

Last week I joined 28 of my colleagues in calling on the Treasury Department to end the bailout program and stop more taxpayer money from being misspent. A year after Wall Street's recklessness brought the economy to its knees, little has been done to reform the financial system and prevent another such crisis. That must change. We cannot permit the financial industry to continue to live by the slogan ''heads, we win; tails, the taxpayers lose.''

For the time being, the markets appear to have stabilized, but that is little comfort to the millions of Americans who are out of work or have seen their wages and hours cut, or are wondering if their next day on the job will be their last. They are among the innocent victims of this recession.

There is still great anger about what happened with the bailout and the

reckless and misguided actions that caused the problems in the financial industry that led to the pain felt by middle class Americans. I continue to hear about it from my constituents, no matter where they live in my district, what their profession is, or their age.

One constituent I spoke with last month is more well known than most of my constituents, but he echoed a similar sentiment when it came to the bailout and what we need in America today. Dennis DeYoung, lead singer and songwriter for Styx, pointed me to a song he wrote and sang 30 years ago. That song, ''Rockin' the Paradise,'' appeared on the album ''Paradise Theater,'' which went to number one on the charts. It was recorded in a studio in Oak Lawn in my district. Thirty years later, as our country continues to reel from the consequences of the greed of some, the lyrics are as relevant as ever:

''Don't need no fast buck, lame duck profits for fun, quick trick plans, take the money and run. We need long term, slow burn, getting it done, and some straight-talking, hardworking son of a gun.''

The song goes on:

''I ain't lookin' to fight, but I know with determination, we can challenge the schemers who cheat all the rules.

''Come on take pride, be wise, spottin' the fools. No big shots, crackpots bending the rules. A fair shot here for me and for you.''

That is what Americans want, to know that when they work hard, they'll not get cheated by the ''big shots'' and the ''crackpots.''

It's long past time that we ''challenge the schemers who cheat all the rules.'' That is what my constituents want. That is what all hardworking Americans want us to do in Washington. They want to hear ''straight talk.'' They want to see us ''getting it done'' so that they have a ''fair shot'' at the American Dream.

BORDER SECURITY IS A NATIONAL SECURITY ISSUE

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. Madam Speaker, there are still terrorists plotting to attack this Nation of ours. Just last week the FBI arrested a terrorist in Dallas, Texas. He drove up to the 60-story Fountain Place glass office building in downtown Dallas. He thought he had made a car bomb and had it all rigged up to blow up the building with the people inside. Media reports say that this Jordanian that was in the United States was illegally in this country.

Law enforcement was on the job, however. The FBI had undercover agents posing as members of an al Qaeda sleeper cell, and they secretly supplied the terrorist with a dud bomb. But he didn't know that. The terrorist parked his dud bomb car in the parking garage, walked a few blocks away, dialed the cell phone number he thought would set the explosion off. It didn't work, and he was immediately arrested. That's good news for the people that were in that 60-story building in Dallas, Texas.

Over the past 2 weeks, terrorists have been arrested in Dallas, Illinois, New York, and Denver. The threats to the United States from jihadists have not stopped.

One way people who want to harm us get here is simply crossing our porous borders, especially the southern border. Now Border Patrol reports that nearly 1,300 miles of the U.S.-Mexico border is not under effective control. The Department of Justice admits that vast stretches of the border are just easily breached. The Government Accountability Office says that three terrorists have been caught at the border; 530 aliens from terrorist countries were stopped at Border Patrol checkpoints just last year. And that's at a checkpoint. What about the hundreds who get through our borders between the checkpoints?

Our government's response to all of this is to decrease the number of Border Patrol agents at our southern border. Beginning in 3 days, they're pulling hundreds of agents off the Southern border. Does this make sense to anyone?

Each year the Border Patrol sets a goal for ''border miles under effective control.'' ''Effective control'' means, in their jargon, when the Border Patrol detects somebody crossing, they expect to catch them.

Homeland Security says the Border Patrol's goal last year was to have only 815 miles of the 8,600 miles of border under ''effective control.'' That's on both the southern and the northern border. Next year the goal is exactly the same: 815 miles under ''effective control.'' That means Homeland Security is not planning to secure one additional mile of either border next year, not one. And, of course, that's good news to people who want to cross illegally into the United States and do us harm.

The southern border is nearly 2,000 miles long. Yet less than 700 miles are what Homeland Security calls secured. Over 1,200 miles are not effectively under control, they say. And their media border guy, Lloyd Easterling, said the Border Patrol could protect the Mexican border with fewer agents. He may be the only person in America that feels that way. He said local police and sheriffs departments were on the job, and they are. But they're overworked, and they're overwhelmed with crime crossing into the United States. They don't have nearly enough officers, and they don't have the money to hire more personnel.

It's the job of the Federal Government to protect our borders. I've been down to the Texas-Mexico border numerous times, and it's no longer a friendly, safe place to be. There are parts of the South Texas border that are so remote that people just walk across every day. We do not know who these people are. We don't know their intentions. And we don't know what they're bringing over into the United States. Not everyone coming into the United States illegally is looking for work.

Instead of decreasing the number of Border Patrol agents, it needs to be increased, and we need to send the National Guard to the border as well. We should also move our military training exercises and operations to the southern border.

Border security is a national security issue, and it's the number one duty of government: national security.

□ 1930

The American people are asking, Why don't we expect and make the government secure our borders? That is a good question. This question has been asked for years, but yet we still have the same results: porous borders. The greatest Nation on Earth secures the borders of other nations but refuses to secure our own border, and the question is why.

And that's just the way it is.

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.)

REPUBLICAN HEALTH CARE PLAN: DON'T GET SICK, OR IF SICK, DIE QUICKLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GRAYSON) is recognized for 5 minutes.

Mr. GRAYSON. You may recall that a few weeks ago, President Obama came to this Chamber and he addressed the Chamber on health care before a joint session of the House and the Senate. During that session, I was privileged to be here, and I saw my colleagues on the far side of the aisle, the Republicans, waving pieces of paper during his speech, and I was wondering what they were. I couldn't imagine. It almost seemed like they wanted President Obama's autograph. I just didn't get it. I heard from one of my colleagues that this is what they call the Republican health care plan.

I went over after the speech was over. I picked up a copy that was lying down on the Republican side, and it turns out that the Republicans health care plan was a blank piece of paper. I inquired further, trying to find out exactly what Republicans health care plan is, and it is my duty and pride tonight to be able to announce exactly what the Republicans plan to do for health care in America. It is this. It is a very simple plan. Here it is.

The Republicans' health care plan for America: Don't get sick. That's right. Don't get sick. If you have insurance, don't get sick. If you don't have insurance, don't get sick. If you are sick, don't get sick. Just don't get sick. That's what the Republicans have in mind for you, America. That's the Republicans' health care plan.

But I think that the Republicans understand that that plan isn't always going to work. It is not a foolproof plan. So the Republicans have a backup plan in case you do get sick. If you get sick in America, this is what the Republicans want you to do. If you get sick, America, the Republican health care plan is this: Die quickly. That's right. The Republicans want you to die quickly if you get sick.

Now, the Democrats have a different plan. The Democrats say that if you have health insurance, we are going to make it better. If you don't have health insurance, we are going to provide it to you. If you can't afford health insurance, then we'll help you afford it.

So America gets to decide. Do you want the Democratic plan or do you want to Republican plan?

Remember, the Republican plan: Don't get sick. And if you do get sick, die quickly.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPUBLICANS CAN SOLVE HEALTH CARE PROBLEMS

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. I can't believe what I just saw. I can't believe it.

First of all, it's totally wrong; and secondly, it's making fun of a very important issue for the American people. We do have health care problems in this country, and we need to solve those problems, but coming down here and making light of the issue by coming up with a lot of silly talk is just ridiculous.

The Republicans have a bill, H.R. 3400, which deals with the problem in a way that does not get the government in between the patient and their doctor. My colleagues on the other side of the aisle want to come up with a government plan where the government starts making all the rules and taking a major place in between the patient and their doctor.

And, you know, I would like to say to my friends across the country, if they happen to be watching, and my colleagues—and I know I can't do that. I can't address anybody except my colleagues. But if I were talking to people across this country, I would like to ask them, What government agency has done such a great job that you would want to rely on them for your health care? Just start naming a couple. What government agency has done such a good job that they're not spending much more money than you anticipate they're going to spend, and then think about health care.

The projections are that the Democrats' plan is going to cost between $1 and $3 trillion over the next 10 years, money we do not have. Money that your kids and your grandkids are going to have to pay for with higher taxes and inflation.

And they say that we don't have a plan. We do have a plan. We want to allow businesses to band together so they can get the best rates like major corporations. We want businesses to be able to go across State lines to buy insurance at the best rate possible. We want to set up medical savings accounts so people will have the money of their own, tax deductible money put into the account by them and their employer, and they can use it as they see fit for medical coverage, and then if there is a major expense above the $2,000 or $3,000 of their money that's in the bank, you can have a major medical policy. It would save an awful lot of money.

There is no question that we have maybe 10 million people in the country who are indigent, who don't have health care, that we need to deal with. Not the illegal aliens, not the people who elected not to have insurance, but the 10 million people who really don't have it and need it. And in our plan, H.R. 3400, we address that. And we could solve this problem for a few billion dollars, not trillions of dollars like the Democrats talk about.

In their original bill—they talk about we're waiting for people to die. In their bill, they had a phrase in there that said, or a paragraph that said you should have regular meetings with paraprofessionals to talk about end-of-life planning. End-of-life planning. That's something that should be between an individual, their pastor, and their family, and their doctor.

Mr. DUNCAN. If the gentleman will yield.

Mr. BURTON of Indiana. I would be happy to yield to my friend from Tennessee.

Mr. DUNCAN. I want to speak very briefly to say that the Republicans want—or that our health plan is to hope that all of the people die quickly is—I have been here 21 years, and that is about the most mean-spirited, partisan statement that I've ever heard made on the floor of this House. And I, for one, don't appreciate it at all, and that brings the debate on this important issue to about the lowest level of any debate I've heard since I have been here.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. BURTON of Indiana. I would be happy to yield to my colleague from Georgia.

Mr. PRICE of Georgia. The gentleman from Florida, Mr. GRAYSON, is still on the floor. He could have an opportunity to come down and apologize to the House right now for denigrating this discussion, this debate, for debasing Members of not just the House of Representatives, but this entire Nation. It's shameful what's been done.

Mr. GRAYSON, how about apologizing? Mr. GRAYSON? Mr. GRAYSON, how about apologizing?

Mr. BURTON of Indiana. I think Mr. GRAYSON has left the Chamber.

Mr. PRICE of Georgia. I thank the gentleman.

Mrs. BLACKBURN. If the gentleman will yield.

Mr. BURTON of Indiana. I would be happy to.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend.

The Chair reminds all Members to direct their comments to the Chair.

Mrs. BLACKBURN. I thank the gentleman for yielding.

And, Madam Speaker, I find it just so unfortunate as we are seeking to address and find bipartisan agreement on an issue of paramount importance to the American people on an issue that our seniors continue to talk to us about every day because of their concerns over Medicare, what the delivery is going to be, that we would have someone, Madam Speaker, who would come to this floor and would make such a statement and would make such accusations.

And, Madam Speaker, I think that it is fully appropriate that the gentleman return to the floor and apologize to the Members of this body.

Mr. BURTON of Indiana. Let me say as we end, Madam Speaker, we don't want rationing for seniors, and we don't want $500 billion taken out of Medicare.

ASSISTANCE TO LIBYA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, I am here to speak on a different topic, on U.S. assistance to Libya and the need for U.N. and foreign aid reform in our budgeting process.

Madam Speaker, just as the convicted extremist of Pan Am Flight 103 was being given a hero's welcome in Libya and just prior to the Libyan leader's own bizarre 93-minute diatribe against all freedom-loving nations before the U.N. General Assembly last week, the Congress was receiving a notification from our State Department that it intended to provide $2.5 million in economic support funds for Libya. That's unbelievable.

The State Department plans also to send 400,000 of those dollars to organizations run by members of the Qaddafi

family; $200,000 of this is to go to the Qaddafi Development Foundation for assisting indigenous NGOs identify potential for reform. Reform in Libya? You have got to be kidding. This foundation is not a nongovernment organization. It has direct links to Libyan Government and is actually run by the son of Qaddafi. For those of who don't know Qaddafi's second oldest son, he is the one who personally escorted the man responsible for the tragedy of Pan Am Flight 103 from Scotland upon his release back to Libya on his father's personal jet.

The foundation run by Qaddafi's second eldest son is the very group that was used by the Libyan regime to channel funds to compensate American victims of Libyan-sponsored attacks, including victims of Pan Am Flight 103. State Department funding for this foundation may, in fact, serve as a backdoor replenishment of funds used by Libya to compensate our victims of Libyan-sponsored attacks.

Turning to a separate $200,000 slush fund proposed under the heading of ''Inclusive Economic Law and Property Rights: Promoting Women's Economic Opportunities,'' the State Department has indicated that the anticipated implementing partners will be the United Nations Development Programme and an organization run by Qaddafi's daughter. Qaddafi's daughter also serves as the UNDP's goodwill ambassador to Libya, so she gets two opportunities to directly benefit from U.S. Government programs in Libya at our taxpayers' expense.

The role of the United Nation Development Programme is very disturbing. It has been the center of several major corruption scandals in recent years. It reportedly cannot account for millions of American dollars that it received in Afghanistan. It also allegedly funneled hard currency to the North Korean regime while Kim Jong Il was consolidating his nuclear program. UNDP then retaliated against the whistleblower who uncovered this wrongdoing.

So I ask you, was funding for the Qaddafi family and a notoriously unaccountable UNDP what Congress had in mind when it appropriated funds to support what they call promotion of democracy and human rights in Libya? Oh, my gosh. Absolutely not.

Unfortunately, the Libya aid program presents just one more example of the need for broad, comprehensive reform of the United States foreign assistance program. Our U.S. foreign assistance can go a long way in improving people's lives while promoting our most cherished ideals of freedom and human rights. However, when administered poorly where unaccounted foreign governments, international organizations and bureaucrats are the beneficiaries, then our foreign aid programs only serve to undermine our very own interests.

It is time for us to get serious about reforming our foreign aid system and about effectively vetting our programs and partners.

Toward this end, Madam Speaker, I have proposed two separate pieces of legislation: H.R. 1062, the Foreign Assistance Partner Vetting Act, and H.R. 557, the United Nation's Transparency, Accountability, and Reform Act, and I hope that we can get those bills heard forthwith.

Thank you very much, Madam Speaker.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NO GOVERNMENT OPTION

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

Mr. BURTON of Indiana. Let me just say as an extension of what we were discussing a few minutes ago, the other body, the Senate today twice voted down in the Senate Finance Committee the government option because they know the American people, by a large majority, does not want the government interfering in health care and sticking their nose in between a doctor and a patient. That was done in the U.S. Senate today.

And I would just like to say one more thing—this won't take a whole minute—and that is seniors of this country, and I've talked to a lot of them, they know that they're going to be taking between $500 and $600 billion out of Medicare and Medicare Advantage over the next decade, which is going to cause the Medicare program to be in worse shape than it is already. And the program they're talking about is going to result in rationing. It is going to result in problems for seniors, and the seniors know it.

I would just like to end by saying this to my Democrat colleagues: They all vote.

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HEALTH CARE REFORM

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, the gentleman just before me was speaking about the public option. And I, like him, am happy that the Senate Finance Committee has turned down the public option. But I don't think the snake is dead yet here on the House floor because it seems that the Speaker is working over the CBO numbers in trying to persuade some folks there is some $85 billion worth of savings if we just set the reimbursement rate at 5 percent above Medicare.

Well, let's think that through. Here is what we've got. We've already got two public programs that under-reimburse providers. In fact, for hospitalizations, Medicaid, which is a Federal and State program, reimburses typically at 87 percent of actual cost for hospitalizations. Medicare reimburses at 92 percent of actual cost. So if you go 5 percent higher than Medicare, if I'm doing the math right, it means that maybe the new public option would reimburse maybe 93, 94 percent of actual cost, which means that you have got a 13 percent cost shift in Medicaid, a 7 percent cost shift in Medicare; and now if a public option comes to be, a 6 percent or so cost shift there. The result is that private payers have to pay 129 percent of actual cost, on average, when they go into the hospital. Now that's a problem because if it's 129 percent of actual cost, it means that premiums go up.

So the public option, far from solving the problem of cost shift, actually is going to add to the problem of cost shift by giving us a third Federal program that adds to the problem. So it's clear that this is not a solution, and the $85 billion worth of savings is not a real savings. It's a savings only if you can go pull money out of the pocket of anybody that walks into the hospital with an insurance card in their pocket, because again, they pay 129 percent of actual costs.

So somehow what we have to do here in this health care reform business is figure out how to stop that cost shift, how to be accountable here at the Federal Government so that we're not paying just 87 percent of actual cost for Medicaid patients, not just paying 92 percent of actual costs for Medicare patients, and certainly not creating a third program that will under-reimburse hospitals.

So our challenge, the challenge before us, is to figure out how to stop the cost shift and how to be accountable from here in Washington, from our State capitals, and surely not to create a public option that just adds to the problem.

HONORING VICTOR ASHE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Madam Speaker, I had the privilege of going earlier today to the flag ceremony at the State Department for Victor Ashe who is retiring as our ambassador to Poland. Victor Ashe is a longtime friend of mine, and in fact, we roomed together in San Francisco where we were attending the 1964 Republican National Convention. I was between my junior and senior years in high school and at the time was an honorary assistant sergeant at arms at the convention. I don't suppose you can get any lower than being an honorary assistant, but it got me in the door. And Victor that summer had just completed his first year at Yale, and I'm sure had a much more important position.

In the years since then, Victor Ashe has had one of the most distinguished careers of anyone from our State. He was elected to the Tennessee State House at the age of 21, the minimum age for service in that body. He began his service in the Tennessee State Senate at the age of 30, also the minimum age required. He was the Republican nominee for the U.S. Senate and then spent a year and a half as the executive director of the President's Commission on Americans Outdoors.

In 1987, he was elected as mayor of Knoxville, eventually serving for 16 years and becoming the longest-serving mayor in the city's history. In that position, he achieved national recognition by being named president of the U.S. Conference of Mayors.

Five years ago, President George W. Bush named Victor Ashe as our Ambassador to Poland, where he served longer than any other U.S. ambassador to that country. Political appointees usually become our very best ambassadors, and that was certainly true in the case of Victor Ashe. He visited approximately 200 villages, towns and cities in Poland, covering almost every nook and cranny of that country. He hosted receptions and parties for over 28,000 people and had 320 overnight guests at the ambassador's residence. Showing that he never forgot where he came from, most of his overnight guests were from the Knoxville area.

I had the privilege of leading a congressional delegation of 11 Members to Poland; and Ambassador Ashe and his wife, Joan, went far above and beyond the call of duty in hosting us at that time. In addition, I had several Members of Congress who had met him on other trips, and they always came back singing the praises of our great ambassador.

I have met many U.S. ambassadors and ambassadors from other countries during my time in Congress. I have never met, heard of, or read about anyone who has worked as hard or has spent as much time going around the country getting to know people from all walks of life. I want to commend Victor Ashe for all his service to the people of Tennessee in the State house and senate and as mayor of Knoxville. But tonight I especially want to salute him for his great service as the 24th U.S. Ambassador to one of our strongest allies, the nation of Poland.

Having summed up his distinguished career thus far, I also want to commend him for continuing to advocate good things for our Nations.

James Morrison, a friend of mine, writes the ''Embassy Row'' column for the Washington Times. This past Friday, most of his column was about the farewell message Victor Ashe posted on the Web site of the U.S. embassy in Poland. In that message, Ambassador Ashe criticized the construction of ''fortress-like'' American embassies throughout the world. He pointed out that these fortresses have been built even in countries where Americans face little danger of terrorist attacks.

Going ridiculously overboard on security causes two very serious problems. One, it sends an unfriendly message from our diplomats, who are supposed to be trying to make friends; and, two, it has cost U.S. taxpayers many unnecessary billions all over the world. Ambassador Ashe wrote: ''The design of many of these buildings quite often creates a fortress-like atmosphere, and the impression given to host nations can be less than friendly, not the warm, welcoming impression we should offer as Americans.''

He complained that the State Department is imposing security requirements and design elements for all new U.S. embassies, regardless of the threat posed in more peaceful nations. ''Given different security situations in virtually every nation, wide flexibility in construction design and location is needed, as opposed to the one-size-fits-all approach,'' Mr. Ashe said. ''As such, different sites and designs can be adopted at less cost and with greater architectural warmth.''

I agree with Victor Ashe and congratulate him on his outstanding service to our country.

HONORING THE LIFE AND WORKS OF SENATOR EDWARD M. KENNEDY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Massachusetts (Mr. MARKEY) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. MARKEY of Massachusetts. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. MARKEY of Massachusetts. I say that while noting that Representative NEAL from Massachusetts and Representative CAPUANO from Massachusetts want to, at this point, insert their written statements in honor of Senator Kennedy, and that is why I made that unanimous consent request. But it is also for the purpose of any other Member seeking to be recognized to be able to insert their comments at this point.

We rise to honor our friend and our mentor, Senator Edward M. Kennedy, one of the greatest Senators in the history of the United States. He will be on a very short list of the greatest who have ever lived and served our country. We tonight gather, noting that his son, PATRICK, serves with us here in the House of Representatives, and we extend our best to him and to his sister, Kara, and to Teddy, Jr., as well as and especially to his beloved wife, Vicky, and to all of the other members of the Kennedy family.

He was, without question, ''an idealist without illusions,'' in the words of his brother. He worked as best he could to achieve the goals that he set for our country while at the same time reaching across the aisle to find partners that he could work with in order to accomplish those legislative goals. Without question, it was our great honor, as the Massachusetts delegation, to work with him for all of those years.

Let me, at this point, turn and recognize the gentleman from Massachusetts (Mr. FRANK), and then we will go through and recognize the other members of our delegation and other Members who have joined here to speak about the Senator. I recognize the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Madam Speaker, the gentleman who just recognized me, the dean of our delegation, has the distinction of having worked very closely with the late Senator Kennedy for 33 years, for more than two-thirds of the Senator's term. And I know that Senator Kennedy greatly valued his colleagueship, as all of us do who serve with him as the dean, and his work now in a number of the areas pays tribute. I do think it is important to note that the longer you worked with Senator Kennedy, the more you came to admire what he did.

I would have one difference with my colleague with whom I rarely differ on things. He said Senator Kennedy would be seen as one of the greatest Senators. I would say the best. And I know my colleague is gracious and may have a Senator or two he needs on the cap-and-trade bill, so he doesn't want to go too far. But I think we would all agree.

I was a fledging academic before I went into politics. I was studying for a Ph.D., and I then learned I had a personal characteristic which was a defect in academics but absolutely essential to serve in this body. I have a very short attention span. And it works to my advantage here and to my disadvantage in serious scholarship. But from both ends, I don't think there is much question about his greatness as a Senator.

Obviously, those of us in the delegation and our great colleague and civil rights leader, the gentleman from Georgia (Mr. LEWIS) who has worked with Senator Kennedy, goes back even before any of the rest of us in terms of colleagueship; but we obviously agreed with his values, and that is a big part of it. But even those who didn't, and this is what's so striking and so needed in our country today, many Members of Congress who served with him who disagreed with him on most substantive issues, joined in the praise for his integrity and his character and his dedication.

We are at a time now where politics is held in low repute by a lot of young people. I would hope that younger people in particular would think back to the deep, deep love for Senator Kennedy that was expressed by so many people across the political spectrum. Think about the accomplishments to which so many people attribute; think

about the people who express the enormous gratitude for the difference he made in their lives. There could not be a better example of how you can get into this business of politics and do good. I would hope people would be encouraged by that.

Beyond that, there is one particular point that I want to stress. We have a besetting sin today in our politics where people think that you show your depth of commitment to a cause by rigidity, not just by rigidity, but impugning the motives of those on your side who try to get something done. Compromise for its own sake is a very bad idea. People who talk about the ''center'' have to be clear what they mean. The ''center'' is not a place of value. It may be where you wind up. But you wind up there as you try to move the center. Yes, you want to try to be representative of a majority. Those who have as a goal finding the precise middle are giving up their own moral and intellectual capacity.

What Senator Kennedy did was to start firmly from a set of moral principles and then work to get them accomplished the best that he could. And that is, unfortunately, a practice that today isn't as appreciated as it should be. Purity is a wonderful state, I am told. I do not say that from experience. But it doesn't make anybody any better off.

No one was more firmly committed to the ideals of fairness and equity than Edward M. Kennedy, and he understood that the more firmly committed he was to them, the more he was morally obligated to make some progress on them.

I realize ideals help nobody, and I say that because he was at the same time one of the premier idealists of our time. No one better or more consistently articulated the goal of a society in which no one suffered unfairly, in which all were treated with dignity and had a certain minimum, at least, of substance. But while he was preeminent as a preacher of that set of moral virtues, he was also preeminent as a hands-on politician who could work with others within the democratic process with other people elected who might have disagreed with him, and because of him, more of his goals were accomplished than were accomplished by anybody else. No one did more to advance those causes which he exemplified.

But he never got all he wanted. And I hope that is also an example; and the example is that, sure, you do not belong in politics unless you have a set of ideals. You don't have any business trying to gain influence over others unless it's to make this world a better place.

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But once you have those ideals, your obligation is not simply to treat them in a way that makes you feel good; it is to get them accomplished.

I do not think in American history over the time of his Senate career that anybody did a better job for people of all income, for the victims of discrimination, whether it was based on race or sexual orientation, or gender, for the whole concept of what we think is the genius of America; namely, that when you're born, you're born with a chance to maximize your potential, and the economic circumstances or the prejudice of others or anything else don't hold you back.

This Nation is enormously indebted to Senator Edward Kennedy for the work that he did and for the example that he set. And I thank my colleague, the dean of our delegation, for leading this Special Order.

Mr. MARKEY of Massachusetts. I thank the gentleman very much, and I turn and recognize now a good friend of the senator, BILL DELAHUNT from Quincy.

Mr. DELAHUNT. Thank you.

I just want to pick up on a theme that Barney touched on. You know, Ted Kennedy might have had adversaries but they were never his enemies. He treated everyone with respect and with dignity and that character, that DNA, if you will, was the proximate cause of his success as a Senator who championed all of the great causes in the past 50 years.

You know, Tip O'Neill said that all politics is local. Well, with Ted it was personal. It was based upon those personal relationships. I'm sure that there are literally thousands that considered Ted Kennedy a dear and close personal friend. I know I did.

I had the fun of being Ted Kennedy's Congressman, and as you all know here from Massachusetts, we had our own schtick. It was a great banter. And he would leave me messages on occasion on my cell phone at night, reminding me that the grass hadn't been cut and that the snow hadn't been shoveled out in Hyannis Port.

I sailed with Ted Kennedy frequently; our colleague and his son, Patrick; his oldest son, Teddy, junior; and a sister, Kara; and his devoted wife and soulmate, Vicki Kennedy. He was an exceptional friend. I miss him terribly. But I know that my experience with him was multiplied by the thousands. He had a way of communicating with people that was unique. You could reveal to him your concerns. You could share with him your secrets, and you could always be assured that the advice that you received was sound, and it was in your best interests.

You know, we're saddened by his death, those of us who have served with him, those of us who considered him a dear and close friend. But I guess for me the gift of that friendship was something that was so special that it overwhelms the sadness that we all share and that so many share.

We were indeed fortunate not just to serve with probably the most prolific Senator that ever served in the United States Congress—2,500 bills. I'm not going to touch on his public record, but we know that his record speaks for itself.

But what many in this country are only beginning to discover is that for Ted Kennedy, it was not about himself; it was about others. He had his share of pain and tragedy in his own life, and I dare say that that provided him with an incredible capacity for empathy and to understand others better than anyone I've ever met in public life.

So let me conclude by saying I miss you terribly, Teddy, but I know you're still with us. Sail on.

Mr. MARKEY of Massachusetts. I recognize the gentleman from Worcester, a good friend of the Senator's, JIM MCGOVERN.

Mr. MCGOVERN. Thank you and I thank my colleague for arranging this Special Order to honor an incredible leader and an incredible friend, Ted Kennedy.

You know, in the McGovern household in Worcester, Massachusetts, the Kennedy name has always been magic. Our family admired and respected President Kennedy. We all supported him, were committed to Robert Kennedy and the causes that he stood for, and we always felt it a very special privilege to be represented in Massachusetts by Ted Kennedy. You know, all of us, especially the Massachusetts delegation, already miss Senator Kennedy. We miss his humor, we miss his friendship, his advice, his leadership.

I tell my colleagues from outside of Massachusetts that I'm proud to call myself a Ted Kennedy Democrat, and a Ted Kennedy Democrat is somebody who's a believer in dynamic and efficient, bold and effective government, somebody who believes it is important to stand up for human rights and for civil rights, and Senator Kennedy did so with incredible integrity and with incredible character.

You know, I believe as has been said here that he is the greatest legislator in the history of the United States Senate.

On health care, I mean every major piece of health care legislation that has been enacted into law has Ted Kennedy's fingerprints all over it. There are millions of children in America today who have health care because of Ted Kennedy.

And education: Every major education bill to expand educational opportunities for people of every background is a result of Ted Kennedy's leadership.

In the area of workers rights, a strong champion of organized labor, somebody who promoted and enacted major legislation that protected workers and workers rights.

In the area of civil rights, you're going to hear from our colleague from Georgia, JOHN LEWIS, a hero in the civil rights movement who will talk to you about the fact that Ted Kennedy was the leader in the area of civil rights in the United States Senate.

And on the Iraq War, I have a special admiration and respect for his courage, for the stand he took against that war, when it was not popular to do so, but

he took that stand because he believed it was the right thing to do. He thought that war should always be a last resort, not a first resort, and I think he was right on that war.

But to all of us in Massachusetts, he was our Senator who assembled the best staff you could possibly imagine. When somebody lost their Social Security check, they called Ted Kennedy in his office. When a veteran needed help, they called Ted Kennedy. When a local official needed funding for a local college or hospital or road project, they called Ted Kennedy's office. All phone calls were returned, whether it was from the Queen of England or Mrs. O'Leary who lived in a three-decker in Worcester.

But more than that, I appreciate very much his personal touch. I was grateful for that personal touch, you know, the notes and the calls. When somebody was sick in your family, you got a phone call. When you got a special recognition or if you won an election, you got a note. If something great happened to you, you know, he was the first to call.

When my son, Patrick, was born, the very first call we received was from Ted Kennedy, even before my mother and father called the hospital. The very first gift that we received was from Ted Kennedy, a blanket that had my son's name stitched into the blanket with the words, Love, Vicki and Ted. And the same thing happened when my daughter was born a couple of years later. Those are things that I will never forget and always treasure.

You know, when he died, I said that nobody can ever fill his shoes, but we must try to follow in his footsteps, and I really believe that.

You know, one of the things that Senator Kennedy said was that the great unfinished goal of his life was health care. He believed that everyone in this country deserves health care. He thought it was a national scandal that tens of millions of Americans are without health care. He believed that we could provide better health care to people, that we could put a greater emphasis on preventative care to prevent people from getting sick. He believed we could come up with a health care system that would control costs so that families and small businesses wouldn't go broke trying to provide health care for their families or for their workers.

And so while he is no longer with us, we need to continue his work. He was the conscience of our country, and I believe that we need to continue to be inspired by his example. We need to continue to stand up for what's right. We need to continue to fight for what's right.

And I will say as my colleagues have said, I feel it has been a special privilege and an honor for me to be part of this delegation that for so many years was led by Senator Kennedy, a great leader and a great friend. And the world is going to miss him. And I already do.

I thank my colleague for yielding to me.

Mr. MARKEY of Massachusetts. And we thank the gentleman for his excellent comments.

Let me turn now and recognize the gentleman from Massachusetts, a good friend of the Senator's, JOHN OLVER.

Mr. OLVER. I thank the gentleman for yielding to me. I was still making changes in what I was intending to say, and usually I do that all the time.

I rise tonight to remember and honor the life and the life's work of a dear friend, Senator Ted Kennedy. There are few Americans alive today whose lives are not affected in some way by Senator Kennedy's vast body of legislative achievements. He's credited with hundreds of laws enacted over his 47-year Senate career, and many of those laws make up fundamental tenets of the social contract that is our modern society.

One of the best examples of Senator Kennedy's impact on society can be seen in his groundbreaking Americans with Disabilities Act, which opened the door to jobs, housing, transportation, communications, and a better life for millions of citizens. It also fundamentally changed the way people viewed others who live with disabilities.

Providing opportunity was a great theme of Senator Kennedy's work, as evidenced by his contributions to strengthening public education. Throughout his career, he fought for better teachers, better schools, more funding, and better methods to enhance learning for America's children.

For wage-earning Americans, Ted Kennedy will perhaps be best remembered for his refusal to accept minimum wage levels as they fell further and further behind in their purchasing power. When others balked or faltered on the issue, Senator Kennedy had a knack for pushing through a deal to get everything he could for workers as soon as it could be achieved.

On the international front, when the great debate over America's waging a preemptive war arose at the outset of this decade, Senator Kennedy used his stature and status as a national newsmaker to oppose the President and the Congress' transgressions, as he saw them, with the use of America's military power.

There are many other important accomplishments one could list, but the issue Senator Kennedy himself labeled as the cause of his life, health care, probably stands out as his greatest area of achievement.

Senator Kennedy extended COBRA coverage for workers in between jobs and eliminated preexisting condition restrictions for workers in group insurance plans. He fought for and won uncommon allies in his crusade to provide health coverage for all children, which he considered a moral obligation. He created the Family and Medical Leave Act and the Ryan White CARE Act for Americans living with HIV and AIDS.

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Though his ultimate cause of universal health care was one he did not live to see enacted, we are where we are today because of Kennedy's lifelong commitment to that cause. In a sense, the effort is still his effort. The gains that Congress will eventually pass will also be a part of his legacy.

Back in my part of Massachusetts, Senator Kennedy was always a good friend to the First Congressional District. In recent years he championed the development of the University of Massachusetts' Pioneer Valley Life Sciences Institute and helped to support Holyoke Hospital, a critical health services provider in the Connecticut Valley. He was ever willing to exercise his seniority in the Senate when Massachusetts companies needed it, and when campaign season came around, no one could bring out and motivate as many workers as Senator Kennedy. His stump speeches in remote corners of Massachusetts, for State or local candidates, were always an oratorical treat for those lucky enough to hear them.

To me personally, Senator Kennedy was an inspiring and thoughtful friend. I could always count on an immediate and passionate response to whatever was on his mind and on my mind, and his attentive friendship came with a warm smile, a sense of humor and a caring heart. Senator Kennedy's breadth and depth of leadership was unmatched in the Congress. He was a tireless worker for his constituents and all humanity, and I am honored to have known him and served with him.

Mr. MARKEY of Massachusetts. We thank the gentleman so much for his words. Next we recognize another great friend of the Senator, JOHN TIERNEY, from the State of Massachusetts.

Mr. TIERNEY. I thank the gentleman for recognizing me and want to acknowledge before we start, PATRICK, I know you're going to speak later, but I hope that this is somewhat fulfilling for you. It can never replace the loss of your dad, but hopefully it will at least let you know how much the people that served with him had the honor and pleasure of doing that, loved doing it and appreciated him every day. And my colleague, BILL DELAHUNT, was more than just the Congressman for the Senator, so I extend my sympathies to you as well; you were a friend, probably even closer than most of us were because you were there so often and spent so much time with him. And so I express those condolences to you. But it's a loss to all of us. The Dean of the delegation, ED MARKEY, of course, served many, many years with the Senator. I looked at a little factoid the other day that indicated that Senator Kennedy was born on the 200th anniversary of George Washington's birthday. I thought if that's accurate, and I assume that it is, how interesting it was, because nobody appreciated history more than Senator Kennedy and nobody appreciated his role in history more than that.

I can remember ED MARKEY at one point, at a function introducing Senator Kennedy as one of the best United States Senators, only to be corrected by the Senator saying, One of the best? The best. And while he was joking, I think he turned out to be absolutely right on that because he certainly has a record that you have heard from JOHN OLVER and others here that is just phenomenal. JIMMY MCGOVERN expressed it as well.

I won't start to enumerate all of the things that the Senator did. We'd be here for far too long. And I think, after hearing my colleagues, most people finally start to appreciate that wherever you were in life, you benefited from him; whether you were cleaning hotel rooms or doing some other job that was difficult like that, you benefited from the minimum wage, health care, education, all the things that we care about. And frankly, when we are all looking to try and have the honor of serving here, listening to people in our constituencies, they're talking about those things that matter to them, the bread and butter issues, whether or not they're going to have a job, whether or not it pays well, whether or not they're going to be able to keep their family healthy; whether or not they're going to be able to give their children opportunity. This great Senator epitomized all of that.

One thing that I don't think has been mentioned so far that I just want to hit on is the fact that the Senator used to tell a story about being lectured by his father when he turned 21 or so about the fact that he was going to be the recipient of some resources that other people didn't have the benefit of; he could choose to be idle and do nothing with his time, or he could choose to be of service to others and to mankind. We all know which route he took. But that remains an inspiring story to all people even to today.

And during the course of this summer when the President had his Service to America campaign going on, many of us had the opportunity to go and visit a lot of organizations that had volunteers in, and when you would remind them of that story and tell them about the Edward M. Kennedy Serve America Act that was signed into law earlier in the year by President Obama and now their role in stepping into his belief of service and doing something for their fellow citizens, doing something for America and no matter how small or large, no matter where it was, you could see the inspiration that they got from the Senator, from his life, from his acts, and from the fact that this law had passed because he motivated people to pass it and get it through. This will remain as one of his great legacies, the fact that he spent his life serving others, that he was selfless in that regard, and that while he was serious about the business that he did, he was also never taking himself too seriously, and always willing to make people feel comfortable and to see the lighter side of things and to see the better part of humanity. In even people who were his political opponents, he saw a good part, and he was able to draw out of them a response that made them accept him and others and work on issues together.

I can remember being with the Senator when we would go out, particularly to senior citizen places where he just couldn't resist singing a song, particularly Irish song, couldn't resist getting out and dancing if there was a ballroom dance going on. And, of course, I guess I must take myself too seriously, or just know how bad a singer or bad a dancer I am. I was always looking for the door, and he would never let that happen. He'd be the first one to force you on the floor, make a fool of yourself, but have some fun and go on that. That's the humanity of the man; that he loved everybody, he loved having a good time with them, could get them to go along with him; and then when it was time to get serious, he could do that in a heartbeat. He could make the case. He had great oratorical skills that carried the day over and over again. And he truly is a giant. I know that the story of his life is just jumping off the shelves right now because people are starting to remember all that he did.

Sometimes in the hustle and bustle of political jargon, people making attacks and going back and forth, people forget that when you separate all that out, whether you are a conservative, or whether you are a liberal, whatever your political opinion, there are things in your life that you have that you're grateful for that are a result of the work of Senator Kennedy. I think that's the bottom line in all of this is that this Senator was a great Senator for America. He was a great friend to all of us. He was a great father and brother for people in Massachusetts. We sorely, sorely miss him. But none of us regret at all having had the opportunity to know him and to serve with him.

Mr. MARKEY of Massachusetts. I thank the gentleman very much. And the gentleman is so right. I could call Senator Kennedy one of the greatest Senators in history, I could call him one of a small handful of the greatest Senators in history. But that would be inaccurate. That just wouldn't capture not only how history will record him, but how he wants to be recorded by history. And there will be an accurate reflection of that, I think, as people, as the gentleman pointed out, continue to focus upon his life.

Before I turn to the gentleman from South Boston, let me go back the gentleman from Quincy, Mr. DELAHUNT.

Mr. DELAHUNT. If the gentleman would yield for a moment before our friend, STEVE LYNCH, makes his remarks, this conversation, the colloquy between yourself and JOHN TIERNEY, reminds me of an anecdote. I wasn't present and maybe PATRICK could attest to its validity. But when Ted Kennedy was described as one of the two most significant United States Senators in that institution's history, the other being Webster, that his response was, Well, what did Webster do?

Mr. MARKEY. I thank the gentleman.

No place played a more important role in the history of Massachusetts Irish politics than South Boston, the home of the next friend of Senator Kennedy, STEVE LYNCH from South Boston, Massachusetts.

Mr. LYNCH. Mr. Speaker, I thank my friend, Mr. MARKEY, the dean of the New England delegation, for reserving this time in order for us to pay a special tribute to our friend and colleague, Senator Ted Kennedy. If you have been watching tonight, you will notice that the Members with the most seniority have been given the privilege to speak first, which is the way it works down here. The longer you are here, the more you appreciate that. However, I am one of the more junior members of the delegation, and unlike some of the fellows that have been around here forever, like Mr. MARKEY and Mr. FRANK and Mr. DELAHUNT, I had a relatively short time, 8 years, to spend working with Ted Kennedy. And I cherish every one of those years. But in addition to working with Ted, as a colleague—and Ted could, he could get it done. He could get it done. And I was always amazed at that.

But I also had a different perspective of Ted Kennedy. I saw him in action before I came to this House. I grew up in the public housing projects in South Boston, the Old Colony housing projects. And I can tell you that whether you lived in the housing projects in Old Colony in Southie or Bromley-Heath or Mission Main or Franklin Field, if you grew up, if your family struggled to make ends meet in public housing, no one in public housing had a better champion, a more valiant and noble champion than Ted Kennedy. And that's really the first perspective that I had of Ted Kennedy as someone who was working for our benefit as a family growing up in public housing and in pretty tough circumstances. He was there for us.

I also had a perspective of working as an iron worker for 18 years, strapping on a pair of work boots, becoming a union president for the iron workers. I can say from that perspective as well, whether you were an iron worker, like I was, working in the building trades with a lot of my union brothers and sisters, or whether you worked on a factory floor, or maybe you were a nurse going out every day working double shifts and overtime, or you were a policeman or a fireman, no working person in this country had a more gallant champion to protect their rights and protect the conditions on the job than we had in Ted Kennedy. And the outpouring of love that we saw during the memorial service and the wake and the funeral and even during Ted's illness, it reflected that collective experience of

not only the people of Massachusetts but of New England and the United States. And it was something to see.

My mom raised us in public housing, and when the motorcade came along Carson Beach in the shadow of the housing project where we grew up, my mom insisted that I help her down there—she's not as young as she used to be, but I helped her down there and just to give respect to the Kennedy family and to Ted during that last journey, last part of his journey. There is a saying from the iron workers, especially in the steel mills, that the strongest steel comes through the hottest fire. And really, when you looked at Ted's life and saw what he accomplished and the challenges that he had; his brother, President of the United States, taken in violence; his brother, the Attorney General, candidate for the presidency, taken from us in the same way; the huge challenges to Ted. They were unthinkable, unimaginable, yet he worked through it, and not only did he overcome that, but he also reached out to other people and shared a strength that he gathered from those experiences.

I'll never forget—this is my only Ted Kennedy story that I'll relate tonight, but I was a freshman, actually, I was very early in my career as a State Representative, and we had six of our brave fire fighters killed in a terrible fire in Worcester, Massachusetts. We all went to the Worcester Centrum for that ceremony. The families were there and every seat was taken and every bit of space on the floor was taken. The place was filled to the rafters. And that's where I was sitting, far above the floor. But I'll remember Ted's remarks. Here are six families that just lost their loved ones. And Ted Kennedy, you know, you could have heard a pin drop in that Centrum that day.

□ 2030

He basically said to the family—I'll never forget his words. He said, From my own experience, I have found that every once in a while life breaks your heart. And even though there were thousands and thousands and thousands of people in that Centrum that day, in reality, it was just Ted and it was just those six families, and he was helping them through that. And that's a gift.

We all go to wakes and funerals and try to help families through tough times, but I never saw anybody carry it off with the grace and the profound empathy and love that Ted was able to accomplish.

I just want to say that I'm delighted that we had an opportunity tonight to say our thoughts and to share our concerns for Ted's family, PATRICK and the entire family. We know what they're going through.

I think the test of all of us who are born on this Earth, the true test of our time, however short it is on this Earth, is whether the work we do while we're on this Earth is going to live after us and is it going to positively affect the people that we leave behind.

By any measure, by any test, Ted has passed that test with flying colors. He has left the power of his example for all of us to try to follow.

I want to thank you, the dean of our delegation, ED MARKEY, for the opportunity to share my thoughts. My prayers and the prayers of my family go out to the Kennedy family.

Mr. MARKEY of Massachusetts. We thank the gentleman so much for his words.

In 1974, Paul Tsongas from Lowell was elected to the United States Congress. Today, these many, many years later, NIKI TSONGAS serves here in the Congress. So the Tsongas and the Kennedy story goes back many years.

I'd like to recognize the gentlelady from Lowell, NIKI TSONGAS.

Ms. TSONGAS. I'd like to thank the dean of our delegation for hosting this Special Order so we can remember our most remarkable Senator.

As I was thinking about how best to talk about him—and we've heard some wonderful remembrances this evening—I was looking back to the early sixties when I was, like so many of us, a student in high school, a beginning student in high school—I hate to give away our age—but the inspirational figures of the Kennedy family, in particular, President John F. Kennedy.

My husband, Paul, used to say that he was inspired by that Presidency to seek public office. But he had grown up in what he called a ''disadvantaged household.'' His parents were Republicans. And it was the Presidency of John Kennedy who inspired him and so many either to become a Democrat or to seek out public office, little knowing that some years later we would be serving with the man we remember tonight.

My first recollection, though, of Senator Kennedy is in 1974, when Paul was a candidate for the seat that I now hold. Senator Kennedy agreed to come to Lawrence, Massachusetts, to campaign for Paul, who was part of the great Watergate class in which there were many, many Democrats running across this country. Paul was running against an incumbent Republican.

Senator Kennedy came to Lawrence, Massachusetts, to St. Mary's Church. He was accompanied by Barbara Souliotis, who many, many years later still serves as his State director. At the time, I think she was an advance person, whom I remember her utter professionalism in keeping Ted on track.

We've heard tonight what a great speaker he was, how he could really connect with the crowd. And so he did that evening. While Ted was speaking, Paul looked at me like, ''Now what on Earth do I do?'' because he knew he could never compare with Ted Kennedy. And he didn't even try. But you could see then how fundamentally Ted connected with people, because they trusted him and they knew that he was working on their behalf.

I remember, again, Ted in 1978, when he supported Paul against an incumbent United States Senator, somebody who was his colleague, a Republican, as he did so often; kept his word, supported his colleagues, whether they were seeking the Presidency, as they in turn supported him.

Well, I haven't had the opportunity to serve, unfortunately, with Ted as long as others here. I do have a couple of remembrances from the past several years. One was when he did agree to come and campaign for me, again, in Haverhill and Lawrence, Massachusetts, the cities of the Fifth District of Massachusetts.

This time, though, he came with a van. He brought Sonny and Slash, the dogs. Barbara Souliotis, who was with him in 1974, was there at his side yet again, along with Vicki. We started out in Haverhill. We went to an old diner that was owned by a Greek American family. Barbara's mother brought pastries that she cooked. Ted sat there with a little demitasse of coffee, ate the pastries, and thoroughly enjoyed the morning.

Then we traveled on to a small school where we were going to read. It was an early reading program, a very, very good one; one that I think is a real model going forward. And Ted, this remarkable Senator who has met with every imaginable world leader, sat and sang Itsy Bitsy Spider to the 2-year-olds and 3-year-olds that were in the room with him. He had a remarkable ability to connect with all of humanity.

My last conversation with him was around a point of legislation that we both jointly sponsored to protect a farm called Barrett's Farm. We've learned to know what a lover of history he is. But I represent two parks: The Minute Man National Historical Park and the Lowell National Historical Park.

Barrett's Farm is a farm that played a very important role in the beginnings of the American Revolution. It was a farm that housed munitions that the Minutemen were going to use. And the British, learning of the new munitions, decided to march on Lexington and Concord, prompting Paul Revere's ride to warn that the British were coming.

The Minutemen got to Barrett's Farm, hid the munitions, so by the time the British arrived, the munitions were safely set aside where they could be used as we advanced our Revolutionary War effort, but the shot was heard round the world that changed the history of this country.

So we worked hard. My former Congressman, Marty Meehan, had initially filed the legislation. I followed up on that, working with Senator Kennedy. The bill finally was signed into law.

This April, I was sitting in my office and got a call. It was Senator Kennedy on the line, and I picked it up and he said, NIKI, isn't it grand? He could celebrate that small legislative act that protected such important history with

the same joy and commitment that he did the grandest of efforts.

Senator Kennedy's legislation has shaped American lives in ways we cannot even know. Every day our lives are different for all that he did. And we are so fortunate to have had his service, to have the great legacy of the Kennedy family, and to be serving today with Representative PATRICK KENNEDY, who continues that legacy as well.

We will miss him. We will miss him forever. But we will always remember him in the large acts and small kindnesses of his life.

Mr. MARKEY of Massachusetts. We thank the gentlelady so much for those words.

Now we turn to—and a number of Members have alluded to him—the great civil rights leader who knew the Kennedys in the sixties and now serves here in the House of Representatives, Congressman JOHN LEWIS from the State of Georgia.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my colleague ED MARKEY and members of the Massachusetts delegation for holding this Special Order in honor of Senator Kennedy. I rise today just to say thanks to Senator Kennedy and to the Kennedy family.

During the sixties, I had an opportunity to meet President Kennedy, in June of 1963, when I was only 23 years old, and then to see him at the end of the March on Washington when he invited us back down to the White House. I got to know Robert Kennedy, the Attorney General, meeting with him in his office and campaigning with him in Indiana, Oregon, and California.

I have known Senator Ted Kennedy for a long time. He was a very special man, a very special friend. I remember long before I came to Washington as a Member of Congress on an occasion we needed him to speak at a fundraiser for nonpartisan voter registration efforts in the South. He answered our call without hesitation. He spent time among us, honoring not just men and women of means, but everyday people and their little children.

Senator Kennedy, this extraordinary man, was an elegant man who walked with kings, but never lost the common touch. As a colleague, he was generous and committed. He was our leader, our champion, our shepherd. He took up the causes of those who were weak and tried to make them strong. He stood tall and spoke with passion for all of those who have been left out and left behind; the people who had no voice in America.

Ted Kennedy never lost hope. He demanded justice for people of color when it came to civil rights and voting rights, and he also took a stand for seniors and for those with a different sexual orientation and for the disabled.

Senator Kennedy was a man who lived his faith and tried to act on it every single day by doing good to help the least among us. At some of the most tragic and difficult moments in this Nation's history, Senator Kennedy had the capacity, had the ability to gather his strength and lead us toward a more hopeful future.

As a Nation and as a people, he encouraged us to build upon the inspirational leadership of his two brothers and use it to leave a legacy of social transformation that has left its mark on history.

I would say tonight, Mr. Speaker, and to members of the Massachusetts delegation and to PATRICK and to other members of the Kennedy family, Senator Kennedy was so thoughtful and so considerate. He was one of the most sharing, caring, giving human beings that I have ever met.

During July 2006, when the Senate was about to reauthorize the Voting Rights Act, he invited me over to the other side of the Capitol to be his guest on the Senate floor. When the last vote had been tallied, he gave me a copy of the tally sheet. Then he suggested that we walk out into an adjoining room, and he showed me the desk where President Lyndon Johnson had signed the original act on August 6, 1965.

He had a photographer to take a picture of the two of us standing near that desk. A few days later, I received the most beautiful copy of that picture with an inscription from Senator Kennedy. It is hanging on the wall in my home in Atlanta. I will always cherish it as long as I live.

I remember in 1977, Senator Kennedy came to Atlanta and we hosted a little reception for him at my home. He met a few of our friends: my wife, Lillian, and our son, John Miles. He spent so much time playing and talking with my young son, who was not quite a year old.

Senator Kennedy had a heart full of grace and a soul generated by love that never forgot the spark of divinity that runs through us all, no matter whether you were his closest friend or his fiercest adversary.

A brilliant light has gone out that uplifted not just America, but the entire world community. During his life, Senator Kennedy touched so many of us with his brilliant light. He touched more than Members of Congress, but also ordinary people. He touched our President and the leaders of tomorrow.

The spark of light that he gave to each one of us still burns brightly, and it is our duty, our obligation to continue his legacy and pass that light on to unborn generations.

Senator Kennedy will be deeply missed but not forgotten, and his legacy will live on in all of us. He was a wonderful friend. He was a wonderful friend, a wonderful colleague. He was like a brother.

□ 2045

Mr. MARKEY of Massachusetts. We thank the gentleman so much for his great words. For me, I had the honor of serving for 33 years out of the 47 that Ted Kennedy served in Congress, here as his colleague. It was my great honor. For each of us, there are too many stories to retell.

But for me, it all begins with Ted Kennedy running for the Senate; and from that moment on, whenever he spoke about the war in Vietnam or health care or energy or injustice to any person, no matter where they are in the world, I listened. And not only did I listen, but tens of millions of other people listened as well because he took us on a journey, a journey to issues and people that we did not know of but he wanted us to know about and to respond to.

That was really his greatness, that when he spoke, he was true north. He was someone who you knew that he was speaking from his heart and speaking for issues that really only he had the capacity to draw the attention to, and he used his power to do so. He used the special gift that he had been given to accomplish those goals.

I remember at the Democratic Convention in 1980, Senator Kennedy had asked me and Henry Royce over here, who was chairman of the Banking Committee, to introduce his energy bill which would be the counter to the incumbent President's energy bill. It called for solar and wind and conservation and higher fuel economy standards and a different direction for our country. Although his candidacy failed and energy was the big issue at that time, I got a call to come up to his room right after he gave that great ''The dream shall never die'' speech. He was up in his room with his family—PATRICK was there and others.

In that room, there was not a defeated man. There was someone who had been a great victor. There was someone who had brought all of these issues to the American people. In 1983, as Ronald Reagan had pulled out of all arms control negotiations with the Soviet Union—the first time in a generation—he called me, and he said, EDDY, you know what I would like to do, I would like to work with you on a nuclear freeze resolution to end all production of new nuclear weapons in the world. And he said, You know what would be a good idea, why don't we have it at American University, where my brother gave his speech to end all atmospheric nuclear testing?

Then one month later, there was an attention brought to this issue that changed that whole issue, and 3 months later, 1 million people were in Central Park calling for an end to the nuclear arms race. On every single issue he talked about in his entire life, it changed the whole dynamic of that issue because Ted Kennedy stood up and spoke to it. He inspired me; and he inspired, I think, millions of people across the planet to change the course of their lives.

So it has been a great honor for me and for all of the rest of our delegation to be able to work with him. It is an especially great honor to have as our concluding speaker this evening, his son. His son, who is our colleague here

in the House of Representatives, who in and of himself is a great United States Congressman and who continues the Kennedy tradition of fighting for those causes that other people do not want to fight for and to bring the attention to those who are most in need of help in our country and in our world.

It is my great honor to recognize the great Congressman from the State of Rhode Island, PATRICK KENNEDY.

Mr. KENNEDY. I want to thank my good friend and colleague ED MARKEY for organizing this Special Order and all of my colleagues for the wonderful tribute that they've given my dad tonight. I will just say that he loved people in public life because they were willing to go out and face the elements and weather the scorn of public opinion in order to stand up for what they believed in. That's why he really admired political figures, and especially in a time where political figures aren't very revered. They're pretty much down at the bottom of the public opinion polls in terms of most professions.

But he knew what a difference it meant to have people of good faith and conviction be involved in the political process because he knew what a difference it made in terms of getting good policy done for the American people. He knew how easy it would be for most people to sit back and make criticisms from the sidelines, but it took a really special person to put themselves out and really sacrifice a big part of their lives because it takes enormous sacrifice of their private lives to be in the public life, especially today.

So he always really got so much energy out of the people that he served with. They were the ones that sustained him so much because he felt like he was part of a team effort. There is nothing that he loved more than being part of a team, whether it was playing sports or whether it was just being part of a family team, being part of a family. That was his politics. His politics was simple. It was being part of a group and making sure that nobody in the group was left behind. I think it's a great kind of a spirit that he brought to his politics. It was a family spirit that I saw over and over again in every issue that he faced. He wanted to treat everybody else the way he expected to be treated if he were a member of a family, and I was included.

He was brought up to believe that everybody had dignity and everybody had a place. You know, when I was growing up in my family, we all had a place. A lot has been said about his belief in everybody having an opportunity in society. Well, in an anecdotal way, I can tell you, in my life, he always made sure that I had an opportunity to participate.

The SPEAKER pro tempore (Mr. MINNICK). The time of the gentleman has expired.

REMEMBERING SENATOR KENNEDY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 5 minutes.

Mr. DELAHUNT. I yield the time to my friend and colleague.

Mr. KENNEDY. Thank you. I just will conclude now because I know my friends and colleagues have their time to speak.

I would like to say to each and every one of the folks who spoke tonight, thank you for being here tonight to pay tribute to my father. To the folks on both sides of the aisle that have been so generous to me, it's a great thing, being part of this House, to have colleagues treat you as one of their own, as a part of a collegial family of sorts, in a professional way but also in a personal way.

The thing he loved so much about serving over in the Senate was the great friendships he developed there. I can tell you, having been through what I have been through in the last couple of weeks, I can appreciate personally what a difference it's made to have the friends that I've had in this Chamber be so supportive of me through this time. I want to thank all of my colleagues for their outpouring of support and affection from both sides of the aisle. It is in times like these where you really get to appreciate the fact that you work in a place where everybody appreciates and respects one another.

I think that is the thing my father would want most for our country right now, for people from very divergent points of view to respect one another and respect this country, which was founded on an appreciation for difference of opinion. The reason why he had worked so well across the aisle on so many occasions on important issues was because he understood that this country can't move forward unless people work together in good faith.

I think the thing that he found most distressing at any point in American history was when the country would stray from its foundation of believing that we could resolve our difficult problems through dialogue, because I think he knew personally, better than any other person in American history, what happens when people don't resolve their problems peacefully and, instead, resort to violence. I think that my dad is one of those people who believed in the democratic process. And at the end of the day, people saw what a difference his work made in their lives because of the work that he did within the democratic process, to make our country a better place for everybody to live in.

Even though he was from a different station in life from many people that he worked to help, he didn't look at it from the point of view of socioeconomic background. He looked at it from the point of view that we're all human beings, that we all have a spark of divinity in us, and we all ought to treat each other with the same respect that we would want to be treated with ourselves. The golden rule, so to speak.

That's why it didn't matter what the issue was. He believed in fairness for everybody because he would want his family to be treated the same way he would want every other family to be treated. But there for the grace of God, he was lucky enough to come from a family that didn't have to worry about paying for health care, education, housing or a pension to retire. He just knew that if he had come from a different family, he would hope that he wouldn't have to worry about the basic necessities of life that too many Americans have to worry about.

And I respect that about him because through the power of example he showed me that you could be a person of conscience and really try to work to make the lives of those who didn't have it as well off as you better through the work that you did in public life. Through that, I think he showed himself as a patriot in more than one way. He not only wore the uniform of this country in the Army, but he wore the uniform in the sense that he fought in the Senate to advance the lives of people in this country through the policy work that he did as a United States Senator.

So, again, let me thank all my colleagues for their great tributes. I look forward to paying him the biggest tribute that we could pay, and that is to make sure that the promise of health care for all is a promise that we ultimately achieve in this session.

Mr. DELAHUNT. Thank you for sharing that with us, PATRICK. Thank you for your service, and know that we love you.

Speaking of reaching across the aisle, I'm going to expose him as someone who had great love and affection for Ted Kennedy, your dad, and a wonderful guy for whom Senator Kennedy had the highest respect, even though they agreed on very little. That's the senior Republican on the House Judiciary Committee, LAMAR SMITH.

Mr. SMITH of Texas. I thank my friend from Massachusetts, Congressman DELAHUNT, for yielding. I also want to thank my colleagues on both sides of the aisle for their forbearance tonight in not strictly enforcing the time limits.

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

REMEMBERING SENATOR KENNEDY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Texas. This gives me a second opportunity to thank my colleagues for their forbearance tonight.

Senator Kennedy was a friend, as are members of his family, including his son PATRICK who is here tonight. It was

a privilege to have known him in lots of different ways. In my being a conservative Republican from Texas, and the Senator being a liberal Democrat from Massachusetts, many people wonder about this friendship. And therein lie many stories, but let me tell a couple tonight.

The first one goes back to when I was a fairly junior Member of Congress. I don't remember what the meeting was about, but there was a meeting in the Capitol in a small room. I was late getting to the meeting, and apparently so was Senator Kennedy. When I walked in, there were no remaining seats around the table, but there were a couple of seats over by a window. In fact, there was only one seat empty, and it was next to Senator Kennedy who at that point I had not met. I felt like I had nowhere else to go, so I sat by Senator Kennedy.

After we had been there about a half hour and were bored by the discussion that was going on at the table, we started talking. I mentioned to Senator Kennedy that, in fact, my grandmother had been from Boston, that I had enjoyed that part of the country many times on vacations, and we discovered that we had a mutual interest in sailing, although I have not gotten to do nearly as much of it as he has.

□ 2100

In any case, we spent the next hour just having a wonderful, friendly discussion. And that was the beginning of this friendship that I have referred to.

Not long after that, I was at another meeting. Actually this was a conference meeting in the Capitol, where there were four or five Members of the House and four or five members of the Senate in attendance trying to work out the differences on a particular piece of legislation. What so happened at that particular meeting, I was at the table and so was Senator Kennedy. In fact, he was directly across the table from me. And we had had a relatively mild discussion of the issues at hand, and it was time for Senator Kennedy to speak.

He stood up at the table, proceeded to lay into us Republicans as if we knew nothing about the issues at hand, made a very persuasive argument on his own behalf and on behalf of the issues that he cared about. The voice was so loud that, quite frankly, the walls of this small room were rattling. All the staff who were seated around the room were shaking. And I was wondering what I had gotten myself into. And here was the Senator with whom I had struck a friendship, and he was practically accusing all of us of not knowing what we were talking about on this particular legislation.

Well, the Senator talked for 5 or 10 minutes, completely dominated the room, and there really wasn't much else to say, or at least no one felt like saying anything in response to the Senator. Well, when he sat down, he picked up a piece of paper in front of them, grabbed a pencil, which I was absolutely sure he was going to break in half. But instead of breaking the pencil in half, he scribbled a note on this piece of paper. And everybody in the room is watching him. And he throws the piece of paper across the table to me. And I'm thinking, what is going on?

So I pick up the piece of paper. This must have been around July of that particular summer. I look at the piece of paper, and Senator Kennedy has written on the piece of paper, ''LAMAR, what are you doing for vacation this summer?''

You had to sort of be there to appreciate what had gone on in the previous 10 minutes and the friendship that this particular note to me showed.

I very quickly folded the note up and put it in my pocket so no one else would see it. And, of course, everybody in the entire room was now wondering what was it that Senator Kennedy had written to the Republican across the table, SMITH from Texas.

I never have revealed that note until right now. But that does show not only friendship, but both stories and many others that I could tell I think reveal a larger point. And that is the public is probably not nearly as aware as they might be of the genuine friendships that occur in Congress between individuals who might not agree on many of the political issues but who can agree to be friends and appreciate each other's company.

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

Mr. SMITH of Texas. May I ask unanimous consent for 1 more minute?

The SPEAKER pro tempore. The Speaker's announced policy of January 6, 2009, does not permit the extension of a Special Order speech by unanimous consent.

REMEMBERING SENATOR KENNEDY

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

Mr. SMITH of Texas. Thank you, Mr. Speaker.

In this case, the idea that individuals can be friends from different sides of the aisle, and even if they disagree on some things political, it occurs more often than a lot of people might expect. In fact, that's probably one of the unwritten stories of Congress. And I'm glad it exists.

Certainly on the surface there is an extreme partisanship. Sometimes that is regrettable. But underneath the surface, there are friendships that can occur, for which I think both sides and both friends can be grateful, and I am certainly in that category.

Mr. MARKEY. Will the gentleman yield?

Mr. SMITH of Texas. I will be happy to yield to the gentleman.

Mr. MARKEY. I thank the gentleman for his great words. And we thank all of the other Members for their participation in this Special Order.

The RECORD is going to remain open so any Member that wishes to make a comment about our great Senator Ted Kennedy may do so.

Mr. Speaker, I rise today to honor Senator Edward M. Kennedy—a mentor, a friend and the greatest Senator our country has ever known.

While it is still difficult to imagine these hallowed halls without Teddy, today we honor the man who was an inspiration to all of us who have answered the call to public service. And while one hour is not nearly enough to pay tribute to the life and legacy of Sen. Kennedy, today we pause to celebrate the life of this extraordinary man.

Never afraid to 'sail against the wind' in the name of justice, equality and opportunity, Teddy was a treasured friend, a tireless advocate for the people of Massachusetts and a legislator without peer. Throughout his distinguished career, he helped bring health care to millions of children, enabled many young people to afford a college education and ensured that so many of our citizens could realize the American dream.

I am honored to serve with his son PATRICK and to know his other children Teddy Jr. and Kara, his beloved wife Vicki and all the members of the Kennedy family. And there is no doubt that his trusted friend and former staffer, PAUL KIRK, will serve with distinction in his interim appointment.

Teddy was 'an idealist without illusions,' as his brother, the late President John F. Kennedy used to say. He came to the Senate to get things done. He was unafraid to reach across the aisle to make a deal and he counted some of his staunchest ideological foes among his closest friends. But he never compromised his core beliefs in justice, equality and access to the American dream.

From his first speech on the Senate floor in support of the Civil Rights Act until his valiant final fight for health care reform, when Ted Kennedy spoke, you knew you were hearing the ''true compass'' of a committed, principled progressive.

He transcended petty politics to become ''the lion of the Senate,'' a legislator like no other. Teddy's was an unmatched legislative career, which included 47 years in office, more than 2,500 bills authored and scores of laws bearing his name.

On issues of war and peace there was no better moral compass than Teddy. He picked up the banner of nuclear arms control from his fallen brother John and fought tirelessly to reduce the threat of nuclear weapons and make the world a safer place. Beginning in the 1980s, Teddy worked closely with me to highlight the dangers of a nuclear arms race between the U.S. and the Soviet Union, and the need to prevent the proliferation of nuclear weapons.

In 1982, when I introduced the first nuclear freeze resolution in Congress to stop the buildup of nuclear weapons, no one thought we could do it. But it was Teddy who led the fight for a freeze in the Senate, paving the way for a dramatic showdown with President Reagan that made it necessary for the Reagan Administration to embrace nuclear arms control—a course it initially had rejected.

Our country is a better place because of Ted Kennedy. For the worker who struggled to

make ends meet in a minimum wage job, Ted Kennedy was there. For the new mother caring for a newborn, Ted Kennedy was there. For a family in need of health care for a sick child, Ted Kennedy was there. For a planet in peril due to the threat of nuclear war, Teddy was there.

And now we must be there for the causes that Senator Kennedy championed throughout his long and distinguished career.

In his final days, Senator Kennedy wrote a letter to President Obama, reminding us all of just what is at stake in the health care debate. ''What we face is above all a moral issue,'' he wrote. ''At stake are not just the details of policy, but fundamental principles of social justice and the character of our society.''

And there is no one who better understood those principles than Teddy.

At the Democratic Convention in 1980, when it was clear that Teddy's inspired campaign for the nomination had come to an end, he was still fighting for the issues he cared about.

Just hours after he delivered his famous speech declaring that the ''dream shall never die'' I went up to see him in his hotel room headquarters. And what struck me that night and stays with me to this day, was that instead of being heartbroken after coming up short in his quest for the presidency, there was no defeat in that hotel room. Instead, Teddy was triumphant. Despite the difficult day, he was still in high spirits.

Although he was a great Senator before that day, it was on that night, that he truly began his transformation into the ''Lion of the Senate,'' the master legislator fighting for the issues that mattered most: health care, civil rights, education, human rights and others. That night, like so many other nights in his long career, he was able to transcend misfortune and shape something bigger. To commit to a cause larger than himself.

Above all, I will remember Ted Kennedy for his sense of hope. In rough seas and in calm, he always believed our better days were just ahead. In his final fight, the dignity and grace he showed was an inspiration to us all.

And throughout a long life of tragedy and triumph he never faltered in his belief in this country and its highest ideals. From landmark legislation like The Americans with Disabilities Act that touched the lives of millions, to simple gestures like reading to schoolchildren at a school near the capitol, Teddy believed in the American dream and helped so many to realize it.

And although the mighty Lion has passed on, Teddy's roar in defense of the disadvantaged and vulnerable will echo eternally in the halls and history of America, inspiring future generations to service, self-sacrifice and a commitment to our country's highest ideals.

And as we pause to remember this great man, the task now is to follow Teddy's immortal words and ensure that the causes which he championed shall endure, that his hopes will live on and his dreams of a better future for everyone shall never die.

Mr. RAHALL. Mr. Speaker, I rise today to recognize and remember the outstanding life and legislative achievements of U.S. Senator Edward M. Kennedy.

I was first elected to the House of Representatives in 1976 and although that is over 33 years ago, Ted Kennedy had already been serving in the U.S. Senate for over a decade. The achievement of being the third longest serving Senator in our history is an accomplishment in its own right, but Senator Kennedy affected public policy in such a substantial and enduring way that the length of his time in office is really only one achievement in his remarkable journey.

Senator Kennedy boldly championed landmark legislation to improve the lives of all Americans. He fought fiercely for the poor and the disadvantaged. His legislative achievements include being a major player in a wide range of issues; from addressing funding for cancer research, health insurance reform, benefits for the mentally disabled, discrimination against disabilities, and the Children's Health Insurance program to Civil Rights, and education reform. Kennedy always considered healthcare the pinnacle issue of his legislative career, and it was a great achievement for him to see comprehensive healthcare reform moving further along in legislative process than it ever has before, five of the six committees handling the healthcare bill had passed them out of committee at the time of his passing.

One of his most recent achievements was the signing into law of The Edward M. Kennedy Serve America Act of 2009. This landmark legislation tripled volunteer opportunities across the country and created a new service corps for education, health care, energy, and veterans.

Although Kennedy was diagnosed last year with a malignant brain tumor, he continued to play a major role in the healthcare debate, and up until his final days he was truly the ''Lion of the Senate'' serving fiercely and passionately on behalf of so many Americans both in Massachusetts and around the country. August 25, 2009 was surely a sad day for all of us—but although Kennedy's life was filled with tragedy, his life was also filled with triumph. His victories in life far surpass most men and women's and his story is one of humanity and progress.

Senator Kennedy was a great statesman and a true leader, who cared deeply about America's future and I am honored to have served in the United States Congress with him. I extend my deepest sympathy and heartfelt condolences to Senator Kennedy's wife and family, and hope they take comfort in knowing that his legend and legacy carries on in the hearts and memories of a grateful nation.

Mr. CAPUANO. Mr. Speaker, I rise today to honor a man who dedicated his life to the people of Massachusetts. The passing of Senator Ted Kennedy has left our Commonwealth without its principal champion, and while we grieve, we take solace in remembering the magnitude of his many accomplishments during almost 47 years in the United States Senate.

I am proud to have served with Senator Kennedy as a Member of the Massachusetts Delegation and humbled when I recognize what we have lost. His work impressed me before I was elected to Congress, but it was in this context that I came to know Senator Kennedy personally and witness his insight and intelligence and his formidable skills as a legislator. His ability to recognize an important and often daunting goal, and then effect legislation to achieve that end, was unparalleled. The testimonies we have heard from friends and colleagues in recent weeks bear witness to that.

Ted Kennedy's approach to government had been instilled in him from an early age—that we must, no matter our position in life, strive to help those in need and speak up for those whose voices cannot be heard. It is a lesson both he and his brothers took to heart and to which they gave their lives in service. Senator Kennedy knew the people of Massachusetts needed his help, but his compassion did not stop there. He often championed national causes and shepherded major legislation with broad impact across the country: ensuring civil rights, expanding children's health insurance, establishing the Americans with Disabilities Act, strengthening education and service programs, and finally the effort he called ''the cause of my life''—reform of our health care system.

Senator Kennedy soared to great heights in the Senate. He achieved immense influence among his colleagues, both Republican and Democrat, while never compromising his progressive values or quenching his fighting spirit. The personal touch he lent to relationships with colleagues and constituents told of his deep connection to the work he was doing and his dedication to being the most effective Senator that chamber has ever seen.

I can say I am a better person for having known Ted Kennedy. I am saddened by his loss not only for myself and for the people of Massachusetts, but for the citizens of a grateful nation. Indeed, the world mourns the loss of his passion for justice and peace. We must all strive to honor his legacy and continue fighting for the causes he defended with such vigor.

Lest it be forgotten or overlooked, Ted Kennedy was also a father and husband. I offer my deepest condolences to Vicki, Kara, Ted Jr., Caroline, Curran, and of course my colleague PATRICK. I thank each of you for allowing us to share this great man with you. He is, and will always be, greatly missed.

Mr. NEAL of Masschusetts. Mr. Speaker, with the passing of Senator Edward M. Kennedy last month, the Commonwealth of Massachusetts lost its greatest champion, and the United States of America lost one of its strongest voices for fairness, equality and justice. Personally, I lost a treasured friend. From civil rights to health care, from voting rights to Head Start, Ted Kennedy played a significant role in the passage of some of the most important legislation in our lifetime. I have often said his record in the United States Senate is unrivaled. And I believe history will remember him as the most effective individual to ever serve in that institution.

The Ted Kennedy his friends and colleagues knew was a kind, considerate, generous, funny, thoughtful and hard working person whose presence lit up the room. His personality and charisma were contagious. He loved his family and spoke about them with great pride. During good times and bad, he was always there with a phone call or a note. When it came to western and central Massachusetts, he always offered to help. He was a master of detail. His ability to work across the aisle was legendary. At the end of the day, Ted Kennedy made a difference in the lives of countless individuals.

For the past year he faced one of the most difficult challenges of his life. But he did so with characteristic dignity and grace. Whether it was sailing on Cape Cod in his beloved Mya, or throwing out the first pitch at Fenway

Park, he taught us how to live life while facing adversity. And in the process he became an inspiration for us all.

I became interested in public service during John F. Kennedy's historic campaign for president nearly 5o years ago. Since then, I have been an outspoken and loyal supporter of the Kennedy family. It has been the honor of a lifetime to call Ted Kennedy my friend. His extraordinary life and legacy will never be forgotten. As we pay tribute to him tonight, my thoughts are with Vicki, Kara, Edward Jr, PATRICK, Curran, Caroline and the rest of the Kennedy family. He will never be forgotten.

Mr. HOLT. Mr. Speaker, what a remarkable life Edward M. Kennedy lived. When I first met Senator Kennedy in 1963, I mistakenly believed he was in office because of his family connections. As I watched and interacted with him over the subsequent decades of his great legislative career—matched by few if any—he demonstrated a strong work ethic. No one worked harder. He had a deep commitment to freedom, fairness, and justice, and his persistent defense of the 'little guy' was absolutely genuine. The result is a body of legislation that has brought equality, justice, and opportunity to millions. This towering figure was an inspiration to so many of his colleagues, and he showed each of us—from the most senior to the most junior—the highest level of consideration.

My thoughts go out to his family, including his wife Vicki and his son PATRICK, who is a close friend of mine. Edward M. Kennedy will live on in the accomplishments he leaves. May all of those close to him know we are grateful for his service to the nation.

Ms. LEE of California. Mr. Speaker, today we gather to recognize the legacy of a man who will surely be remembered among the great legislators in our nation's history—''the Lion of the Senate''—Senator Ted Kennedy.

Senator Kennedy was a champion for peace and justice throughout his entire career, and our nation is undoubtedly a better place thanks to his leadership over the years—in particular on the issues of education, health care, and civil rights.

I vividly remember the first time I met Ted Kennedy.

I was interning in Washington, DC in the summer of 1974, at a time when there were very few African American interns on Capitol Hill. My friend, the late Ron Brown, was working for Senator Kennedy at that time, so I called him and requested a meeting with my fellow African American interns.

Senator Kennedy immediately granted our request—we met with him a few hours later and knew immediately that we were truly in the presence of greatness.

More recently, I attended several election events with Senator Kennedy during the primary election.

I had the pleasure of attending the American University rally for Senator Obama where Senator Kennedy first announced his support and delivered one of the best speeches of the entire campaign.

A few weeks later, I attended an amazing rally at the Beebe Memorial Cathedral in Oakland where I was honored to introduce Senator Kennedy before he delivered another amazing speech.

The line to get in the door seemed to stretch for miles as supporters waited with anticipation to see this great statesman and warrior for peace and justice.

Over the course of his career in public office, Senator Kennedy underscored the meaning of the phrase ''to whom much is given much is required.''

His legislative legacy is unrivaled, and affects the lives of tens of millions of Americans every single day—especially the less fortunate among us.

But despite his countless achievements, there is one unfinished piece of business that was dear to his heart that we must continue to fight for: achieving universal health care in America, and doing so in a way that truly reforms our broken health care system.

In a letter written to President Obama shortly after learning of the terminal nature of his illness, Senator Kennedy described our nation's current health care crisis as a ''moral issue''—which concerns ''not just the details of policy, but the fundamental principles of social justice and the character of our country.''

Senator Kennedy knew, as we know, that healthcare is a fundamental human right.

Let us work to pass real health care reform, not just in remembrance of the cause that was this great man's life work, but because we see this issue as he saw it—as a test of our society's integrity.

Last week I had the honor, alongside my colleague, the Honorable KENDRICK MEEK, of presenting the late Senator Kennedy with the Mickey Leland Award at the Congressional Black Caucus Foundation's Annual Legislative Conference Awards Dinner.

The award, received by his son, the Honorable PATRICK KENNEDY, was bestowed upon him in recognition of his lifetime's work in providing opportunities for society's less fortunate.

From civil rights, to education, and finally to health care, the late Senator Kennedy is destined to be remembered as a true champion of equality and opportunity.

Our charge now is to keep this noble legacy alive by renewing our efforts to ensure that health care reform—his great, unfinished cause—provides each and every American with the universal and affordable coverage that was his vision.

I look forward to working with you in the weeks to come to do everything we can to make sure that happens.

THE RULE OF LAW

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. Mr. Speaker, to my hall mate, Mr. KENNEDY, that was a moving tribute and well deserved. I am glad we could yield the time.

The subject of this hour that we have been talking about now for, I believe, about 14 or 15 weeks is we are talking about the rule of law and how the rule of law must prevail. It is the glue that holds our society together. And when we start to ignore rules or ignore others' laws, then we are ignoring what our Founding Fathers intended to rule us.

When we established this Nation, the people who established it came from a monarchy. Yet they felt that a much greater society would be a society which would pledge itself to the rules, not to the authority. So they didn't want a king. They didn't want some powerful dictator. They wanted the rules to prevail in the Nation. And that's one of the secret parts of the society that was created that nobody can see, that over time has developed the most important and most powerful Nation on the face of the Earth that has ever existed.

We cannot ignore that rule of law today. We cannot let personalities or concepts or attitudes change the fact that there are rules that you follow, and you must follow those rules. And there are laws, both civil and criminal laws, that have to be upheld. We as a society have created those laws. They have governed us in some instances since the beginning of the Republic. And to waive or to ignore those laws, we do it at our peril.

So tonight we're going to talk about some legislation that addresses the issue of ignoring or not following certain laws or bending laws.

We are going to start off with my good friend ROSCOE BARTLETT. I'm going to yield to him, and he's going to talk to us about a bill that he has, H.R. 2743, the Car Dealer Equity Act, in which he talks about the fact that he feels some laws, some contract laws, were either bent or ignored.

I yield to my colleague.

Mr. BARTLETT. I thank the gentleman for yielding.

Before talking about this very interesting subject, I would like to spend just a few moments talking about why I think the rule of law is so important.

We are one person out of 22 in the world, and we have a fourth of all of the good things in the world. And I ask myself how come we are so darned fortunate that this one person out of 22 has a fourth of all the good things in the world?

I look around for people who are working, bending their back, and sweating. And I will tell you I don't see very many white faces, and I don't see an awful lot of black faces. I see Hispanics. So it's not hard work that's accountable for the fact that we're so lucky.

And then I look at education and technical education. We live in a technical world today. But most of our bright young people are going into careers of political science and law. This year the Chinese will graduate seven times as many engineers as we graduate, and about half of our engineers are Chinese and Indian students. So it's not our commitment to technical areas that makes us so fortunate.

Just what is it that is so different about this country that we are so fortunate, this one person in 22 that has a fourth of all the good things in the world?

Mr. Speaker, I think that it's our commitment to the rule of law and particularly our commitment to those laws that protect our civil liberties.

You see, there is no Constitution in the world, there is no bill of rights in

the world that comes even close to ours in having so many civil liberties that are so protected. And I think this established an environment, a milieu in which creativity and entrepreneurship could flourish. And I think we put at risk who we are, and I think we put at risk this enormous privilege that we have, this one person out of 22 who has a fourth of all the good things in the world, if we in any way violate these very sacred rights which are given to us by God, which our Constitution, our government, is supposed to protect.

So I am very concerned about the rule of law because I will tell you if in one place you can rationalize that it's okay to violate the Constitution, what next? I think that our civil liberties could come tumbling down and I think with them our privileged status in the world today.

Now, the thing you asked me to talk about, and that is this bill, H.R. 2743.

Several months ago I was mystified by something that was happening in our country. We were shutting down auto dealerships. I thought at first, well, these are owned by the auto manufacturers and they're reducing their overhead, so this will benefit them. But then I learned not a single auto dealership in this country is owned by the manufacturers. Every auto dealership is an independent dealership hiring people, paying taxes, selling cars. And I looked at what they were doing. You know, in almost everything we do in life there are winners and losers, positives and negatives. And in this case I could see only losers. And I thought I must be missing something.

So we held a press conference out in Frederick, I think one of the first ones in the country. We had some of our biggest dealers there. Dar Cars was there, and Tammy Darvis is up in the gallery, and I want to thank her for coming. Jack Fitzgerald was there, one of the biggest auto dealers in the area. And I asked them the question, What am I missing? I seem to see that everybody in this is a loser. Why in the heck would we do something where everybody loses?

Clearly, the dealers that were put out of business lost, and clearly all the people that worked for them lost, and clearly all those secondary jobs that were created by those people were lost. And I couldn't understand how the auto dealers could benefit when there were fewer people selling their cars. It just made sense to me that the more people who are out there competing to sell your cars, the more cars you're going to sell and the better off you are.

And I asked these dealers, What am I missing? I've got to be missing something because Americans don't do really stupid things. And this appeared to me to be a really stupid thing where everybody lost. I couldn't see anybody who was winning in this.

So I came back to the Congress and I asked my colleagues, Who is the winner here? And from both sides of the aisle, and now this bill I think has 275 cosponsors, but from both sides of the aisle they said, We don't see any winners either. We really need to do something about this. We think that some fundamental laws were violated in this.

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We think that this needs to be fixed. There is a Web site you can go to. It is YouTube, www.YouTube.com/rejected dealers. And you're going to find more than 11,000 dealers that have logged on to that to tell you their story. Some very, very sad stories are told by these dealers. Enormous losses.

So I am very privileged to come here this evening to talk about this because I think that in the violation of some of these very simple, obvious, commonsense laws, that a great many people in our country have been hurt.

And I want to thank you for committing this hour to talk about the rule of law, because I think the rule of law is so important. And I hope that Americans will collectively call their Representatives, ''I know you probably signed on to that bill, but now make it happen. Bring it to the floor. Vote on it.'' You know, petition the Senate so they vote on it.

So let's get this fixed. It's really bad. It's really wrong.

Thank you for letting me have a few moments to talk about it.

Mr. CARTER. Reclaiming my time, I thank you, ROSCOE. You have hit on something that when that all happened to me, I just wondered what happened to the law of contract. Where did it go? When did our executive branch think it had the authority to just negate contracts in order for people to, through some threats that were made to settle a bankruptcy, to lose dealerships that—I talked to people in my district. It was not only did you lose your dealership, but your work product got handed to the people you'd been competing with. Just kind of free gratis. You get the win, and I get nothing. And of course, hopefully this will be resolved in the courts or something. I don't know what's going to happen.

But ROSCOE is on the right road. We can do something about it here because if you can't contract, you don't have freedom, and especially freedom of commerce. If you can't make an honest contract with somebody and depend upon that and have it be enforceable in the courts of our country—because the rule of contract is sacred. If you don't have that, which we'd had for the history of our Nation, then the rules of commerce come tumbling down.

And we keep hearing people say, Do we want to be a Banana Republic? And nothing against our poor Banana Republic neighbors, but that's what happens when you don't have the rule of law. You can't make a deal that can be enforced and people become—go more and more to the dark side in their trading habits. And this is one of the issues that when we've got the world economy we've got to deal with.

We've got multiple subject matters, and we are going to start with one that's all over the front page. ROSCOE is going to fix the auto dealers, and I am on that bill and proud to be there.

We've got a bill by Leader BOEHNER and DARRELL ISSA, Defunding ACORN Act, and my friend, LYNN WESTMORELAND from Georgia, is here to join me, and my friend Mr. KING from Iowa is here to join me. And we've got a bunch of things to talk about here today.

Let's talk about ACORN.

I think those videos that the American public have now seen were a shocking wake-up when they had already heard about all of the ACORN violations. We'd already heard about this, and it didn't seem to be bothering anybody that there were all kinds of election law frauds, convictions, and so forth across the country. But then we saw advice being given to two people pretending to be into criminal activity, and you saw people that seemed to be encouraging child prostitution calling it a business, how to do your taxes, just like they weren't talking about criminal activity. And I think that shocked America into realizing that all of this was real, and that cheating on elections and cheating on voter registration and so forth was just as criminal and just led to further, more criminal activities. And now, all of a sudden, the folks at ACORN are all over the front page.

So I will yield to my friend, Mr. WESTMORELAND from Georgia, to let him make a few comments on this. And you've got a sign there. What have you got, LYNN?

Mr. WESTMORELAND. Thank you for yielding.

I did want to bring the substance. We were talking about the rule of law.

Speaker PELOSI, after the 2006 election, made a comment. She said, This leadership team will create the most honest, most open, and most ethical Congress in history.

To my friend from Texas, we know we've been here many times talking about the Rangel rule where Chairman RANGEL was found to not have paid his taxes and then had his accountant figure out what he felt like he did owe and sent it in without penalties and interest and other things.

Then we had Secretary Geithner who did not pay his self-employment taxes and some other taxes on more than one occasion. And this is something that the American people are wanting to know where this most honest, most ethical Congress, most open Congress is at.

I just wanted to kind of bring that up to remind the people that we are not special in this body right here. We need to be operating under the rule of law and be under the same consequences that every American is under.

Let's talk about ACORN and what the bill is that Leader BOEHNER and Ranking Member ISSA have introduced.

We might want to remember that last week the House voted about 345–79 for an amendment to bar the Federal funding of ACORN, but we need to go

further than that. We need to pass a stand-alone bill. And that's what this H.R. 3571 does, the Defund ACORN Act.

No Federal contract, grant, cooperative, or agreement or any other form of agreement may be awarded to or entered into with ACORN. No Federal funds may be given to ACORN. No Federal employee may promote ACORN, including some ACORN State chapters, organizations with financial stakes in ACORN, and organizations that shared directors or employees with ACORN.

And Judge, my friend from Texas, I am glad to announce the great Governor of the great State of Georgia has canceled the contract that the State had with ACORN.

So people are starting to understand that when you have an organization that not only these videos exposed, but even the Committee on Oversight and Government Reform found ACORN had committed a list of offenses: voter fraud, tax evasion, obstruction of justice, aiding and abetting embezzlement, investment fraud, use of taxpayer funding for partisan political activity, Department of Labor violations.

You know, ACORN should not be allowed to get off with just an internal audit. They need to be looked at much deeper than that. An internal audit for ACORN is the same as asking Secretary Geithner to investigate Chairman RANGEL. So we need to go further with that.

ACORN has received hundreds of millions of dollars. We should be more responsible to the people of this country, the hardworking people of this country that pay their taxes that we would want to give it away to organizations such as this.

Right now, I'll be glad to yield to our friend from—I'll yield back the time to you, Judge, and then you can yield. But thank you for giving me this time.

Mr. CARTER. I'll yield time to my friend from Iowa (Mr. KING). And I guess we'll talk about ACORN and then we'll shift gears to something else.

Mr. KING of Iowa. I thank the gentleman from Texas and the general from Georgia for their leadership on these issues. And once a week, at least, we see the judge from Texas down here laying out the conscience of the Congress. And this ACORN issue is something that has burned within me for several years.

I looked back through some of the RECORDS, and I introduced an amendment to unfund ACORN in 2007. Back then, we couldn't get any traction. And as much as has been filled out on the case of ACORN, as much as we learned about ACORN during the last Presidential election—and I think it was very useful because that was a time that America started to pay attention, Mr. Speaker. And we remember that ACORN announced that they had filed 1.3 million new voter registrations during the Presidential election cycle in 2008. And now they're advertising that people should send them a check and help fund their operation to go down there and demonstrate against Sheriff Judge Arpaio, the tent city, pink underwear Sheriff Arpaio. I think that that is a persecution that's going on. But they're trying to raise money to do that.

And the mailing that they have—and it's an Internet document. They still claim that they registered 1.3 million new voters. Well, the numbers are closer to 450,000 legitimate voter registrations. And ACORN has admitted to over 400,000 false or fraudulent voter registrations. Now, one is too many for me. And we've seen the hue and cry of somebody who was in 2000 driving to vote in Florida, and perhaps they were going to vote for Al Gore, and a mile and a half away they went through a checkpoint to see if they were sober and had a driver's license, and they claimed that to be voter intimidation.

If one person lost their nerve and didn't want to go through the police checkpoint because they were drunk or didn't have a license, that was a voter intimidation on the part of the folks that were on Al Gore's side back in the year 2000.

ACORN can produce over 400,000 false or fraudulent voter registrations, and America can't get up in arms until we see child prostitution promoted in five ACORN offices across this city, in Baltimore, Washington, D.C., in Brooklyn, in San Bernardino, and in San Diego, California, and more to come.

And now they're under a lawsuit. ACORN decides they're going to go out and punish people that have brought out the truth if they can and use the court to intimidate.

Now, when ACORN makes a statement that, well, we only produced over 400,000 false or fraudulent voter registration forms, never fear, it was all in the exercise of trying to get somebody's good vote in there, but no bad votes came out of that, no fraud came from that. Oh, really.

They're being investigated. You say 12 States, then 14 States. Today it came out 20 States.

Today the trial of ACORN started in the State of Nevada. ACORN, as an entity, has been indicted by the prosecution in Nevada, and they have their chief organizer in Nevada is testifying against ACORN saying, Here's our pamphlet, our policy. We were paying commissions and paying a bounty for voter registrations. And, additionally, it came out in the news that in Troy, New York, they have dozens of fraudulent votes that were cast on absentee ballot that were promoted by ACORN.

Now, if there's anything that chisels away and cuts off the underpinnings of our Constitution it is fraudulent election process. And when the American people lose their faith that we have a legitimate process, the result of that will be, then, nothing holds together. You can't expect the President, the United States Senate, the United States House, or any system of government to be consented to by the people if the people don't believe they've consented in a national, legitimate ballot. That is the Banana Republic measure. And there is no entity in America that has been more active or aggressive in the history of this country and undermining the underpinnings of our Constitution than ACORN, a criminal enterprise and an entity in and of itself in many other enterprises than the fraudulent votes.

But I think at that component of this, I would yield back to the gentleman from Texas. I have a little bit more to say about ACORN hopefully a little bit later.

Mr. CARTER. We've got a lot of things to talk about, but ACORN is now all over the front page. The trial started in Nevada, and quite frankly, I see a very aggressive prosecutor that was talking on television today, and it's going to be an interesting case. We should all watch it very closely because wrongdoing is being put before the American public, and it's going to be interesting to see how that comes out.

I want to shift gears now because our friend Dr. RON PAUL has introduced a bill which has been talked about now for years, and I think now the American public is starting to say we'd kind of like to know something about this.

We have had, as we talked about before, more money spent since last summer supposedly saving the economy than just about has been spent in the history of the Republic, certainly before 1930. It clearly surpasses what we spent then. It is in the trillions of dollars now.

The Federal Reserve, this mysterious thing that I would bet there is not one American in a hundred who can tell you even close to what the Federal Reserve system even does, where they come from, who sets them up. There is just very limited knowledge. Unless you get to graduate school, you don't even get taught it in universities as to what the Federal Reserve does. And yet the Federal Reserve, as Congressman PAUL points out, is in charge of administering and keeping track of these billions and now trillions of dollars of money that we are going to have to pay back and our children, our grandchildren have to pay back.

□ 2130

What Congressman PAUL, RON PAUL, wants basically is that he would like to see an audit of the Federal Reserve so that we can know just what these guys do. And so I want to throw that out for discussion here, and I recognize my friend from Georgia.

Mr. WESTMORELAND. Well, thank you for yielding the time, and I don't know if we're going to get back to ACORN.

Mr. CARTER. We will.

Mr. WESTMORELAND. Then I will save this for later. Let me just say that the Federal Reserve, think about this for a minute. Under the TARP program, the Federal Reserve got $700 billion. We gave them $787 billion in the

Obama stimulus package. As you mentioned, that's over $1 trillion. Judge, a lot of people don't realize how much $1 trillion is. If you took $1 trillion and converted it into seconds, 1 million seconds is 11 days, 1 billion seconds is 32 years, 1 trillion seconds is 32,000 years, 32,000 years is 1 trillion seconds. And so we've given them over $1 trillion, and they don't want to be audited. I think that this is something that I hope that Chairman FRANK, I'm assuming this is going through Financial Services on a hearing that they're going to have Friday, 290 cosponsors, that is enough to pass a piece of legislation here under suspension.

So I certainly hope that the Speaker and the Democratic leadership will once again kind of honor her statement here: ''We will create the most honest, most open and most ethical Congress in history'' by letting us have a vote on auditing the Federal Reserve.

The American public deserves the same independent audit accountability from the Fed that they expect from their local bank. The Feds are going out and auditing our local banks every day, Judge, putting a lot of them out of business, putting them on notice that they need to change the way that they're doing business. If they're going to go out and audit our local banks, we certainly need to audit them to make sure that they're doing things by the rule of law and in a commonsense way and in the way that the American people expect them to do with their hard-earned taxpayer dollars.

With that, I yield back to the gentleman.

Mr. CARTER. I will yield now to my friend from Iowa (Mr. KING.)

Mr. KING of Iowa. I thank the gentleman from Texas.

I was thinking about the description of what is big money and what is $1 trillion and how do you put that into a concept now. Some of us from the part of the country I come from, we think in terms of corn. So to put that into perspective, the State of Iowa, the lead State in corn production, is going to have a good crop this year. It's going to have the best average yields that we have ever had, probably a few less bushels than we have produced though in the past, and we are going to raise about $10 billion worth of corn, maybe a little less than that, but about $10 billion.

Now all the corn that Iowa raises, just the value of that $10 billion, if we do that for 10 years, that's $100 billion. We do that for an entire century, that's $1,000 billion, $1 trillion. So 100 years of all the corn we can raise in Iowa is $1 trillion. A full century of all the corn that we can raise in what it's worth today, or what it was worth when I figured this, the markets have gone down a little bit, that is $1 trillion.

Now to take care of Obama's deficit created by his budget this year, that is $9.7 trillion. You can just think, 970 years of all the corn that Iowa could raise committed just to taking care of the deficit created by his budget would be just about right. And if you want to look at the deficit that exists today, and you add that to Obama's budget, that's over $20 trillion between the existing national debt and the debt created by President Obama's budget. So that would be all the corn that Iowa could raise at today's production in market values from the birth of Christ until today, and you would fall a little bit short. That's how much money the United States Government owes as a result of this profligate spending that is going on.

And the Federal Reserve component of this, I am very happy to see there are 290 cosponsors of RON PAUL's bill, H.R. 1207. I am among them, and I'm confident that my colleagues on the floor are as well. There is a hearing coming up on Friday to dig into this. That is a step along the way. From my standpoint, I would be very happy to sign a discharge petition. I don't think that things move very quickly through this Congress. When you have the most ethical Congress in history, I don't know how that could be defined that way, but there's a lot that doesn't happen around here. There's a lot of deliberation that doesn't take place around here, a lot of debate that doesn't take place.

The rules are written in the Rules Committee up there in that tiny little old room that doesn't leave room even for our staff to come in. We have to go up there and genuflect before the Chair of the Rules Committee and ask if we can bring an amendment down here to debate it on the floor of the House. They will say ''yes'' if they think it embarrasses Republicans. That's the only way they will say ''yes.''

The deliberate destruction of the greatest debating body in the history of the world here in the United States Congress has taken place because of the rules that have been ripped asunder by the Speaker of the House after 221 years. And the gentleman from Georgia has a sign: ''This leadership team will create the most honest, most open and most ethical Congress in history, NANCY PELOSI, November 16, 2006.'' I don't know how you say that in Georgia, say what? This is the least deliberative body it has ever been.

An open rules process that we had for 221 years that allowed every Members of Congress to force a debate and a vote on a subject matter of their choice within the appropriations process has been utterly suspended since 2007.

The American people deserve better. We deserve, yes, a hearing on H.R. 1207, on the Federal Reserve. But we deserve also to have open debate and force votes so Members have to go on record, because the wisdom of America is processed through 435 congressional districts. And we all have our networks out there. If that debate is stifled here, if amendments are shut off by order of the Speaker, then the wisdom of America is shut off by order of the Speaker.

This country cannot reach the next level of its destiny if it denies the wisdom of its people, and that is the wisdom of its people as processed through this Congress is how it was envisioned by the Founding Fathers. I yield back to gentleman from Texas.

Mr. CARTER. To finish up this particular subject, let me just point out that I think most people know that the Fed has, as one of its things it does, it uses interest rates to micromanage our economy. It prints money. And the more money that it puts out there, the less value our dollar has. It has an affect on every part of our lives.

Now if you have never contracted with the Federal Government, back in the 1970s, I did a lot of work for people who built section 8 housing projects. And let me tell you, because you're dealing with large numbers, this is what you would hear, you had to be looked at and relooked at and relooked at, which is the right thing, to make sure nobody is doing something wrong. When you're dealing with $8 million or $10 million, the government wants to look closely at how that money is being spent, are the subcontractors being paid, and so forth. Now, why do they do that? Because they know the nature of certain people is such that there can be wrongdoing.

We are talking about trillions of dollars. And we ought to at least know a little bit that an audit would tell us about what's going on at the Fed. So that's RON PAUL's bill.

I'm going to go to another bill. It's not really a bill, but just a comment. We've been talking about the Rangel rule. I've got a new one today. We are going to talk about Mr. Geithner again because he is back in the news because he says he has got this bank, UBS, over in Switzerland, to open their secret vaults and let him know what's over there. And he is being very magnanimous to the people he thinks have been hiding funds overseas. He is telling them that, I know you. I've made a successful raid. I know who you are. Now if you step up and pay your taxes, we're only going to give a maximum of a 20 percent penalty for your failing to pay taxes.

Wait a minute. What about the Geithner gesture here? When he talks to these people, he owed $17,230, no penalty. He owed another $25,960, no penalty. He used bad child credits. He filed additional taxes with interested infrastructure, he had a faulty retirement plan, an improper small business deduction, and he was expensing utility costs that went for personal use. All these things he was doing to no penalty. We call this the fox watching the hen house; he says they've cheated the government. And maybe they have.

Where I come from, if they cheated the government and there's penalties to be assessed, fine. Everybody ought to get the penalty. When I've been late on paying my taxes, and I have, I filed not on April 15 before, I filed on August 15 before, I filed on October 15 before. I paid my penalties, and I paid my interest because that's what you're supposed to do. I think it is curious that

this is the subject of Mr. Geithner's conversation when he has not. He, the boss of the IRS, has not been assessed any penalties.

So I throw that out for quick discussion. I think it's interesting. The Geithner rule ought to be zero penalties on taxes paid back on unreported income until Mr. Geithner pays his.

Mr. WESTMORELAND. So if the gentleman would yield for just a second.

Mr. CARTER. I do.

Mr. WESTMORELAND. Are we going to introduce a new legislation called the Geithner rule?

Mr. CARTER. We're working on it.

Mr. WESTMORELAND. We've got the Rangel rule, and I wonder how many people have, when they returned their money to the IRS and said, I'm claiming the Rangel rule, the Geithner rule is one that definitely people should be concerned about.

Today in my office I had two of my dear friends, I had Coach Mike Pickett who came in and coached me in high school and another guy that I went to school with, Mike Sorrow that Coach Pickett coached, and they came in to talk to me just about some of the issues that we were facing up here.

One of the things that Coach Pickett said was he said, I'm mad as heck. He said, they're cutting my Social Security, and they've got a plan to cut $500 billion out of the Medicare, he said, and we've got people in Congress that is not even paying their taxes. And of course he was talking about Chairman RANGEL. We didn't bring up Secretary Geithner, but I'm sure that would have made him double mad. That would have made his blood pressure even worse to think that the Secretary of the Treasury has got this kind of tax concerns.

I go back to this, what Speaker PELOSI said, you got to remember that the U.S. Senate approved this gentleman, confirmed him to be a member of the Cabinet.

This is the thing, Judge, that the American people are tired of. And I had one lady tell me the other day at a town hall meeting, she said, I'm sick and tired of being sick and tired. And I think the American people as a whole are sick and tired of being sick and tired of seeing how people in politics, in elected office feel that they're better than the average hardworking American person out there that is paying his taxes.

Now, I've had penalties assessed on me before. I think that probably most Americans have had penalties and interest assessed to them for some reason or another. This is unbelievable. In fact, we should be above even the least bit of doubt of what we're doing. He should have paid the penalties anyway. If he had been late, he should have paid the penalties and the interest.

Many people may not know this, that when they hear this name on TV, they don't understand that he is the Secretary of the Treasury. He is somebody that is over IRS. And with these findings and the fact that he has not been able to have to pay some of the penalties and the interests that most Americans would have to pay if they were delinquent on their taxes, and especially using your child's time at an overnight camp in three different years, surely he was made aware of that in 2001, but he did it again in 2004 and again in 2005. Surely somebody from the IRS must have told him in that 4-year period that that was not a legal deduction or either he didn't file his taxes.

□ 2145

So, Judge, I appreciate you bringing this back up, and I look forward to being a cosponsor, as I was with the Rangel rule, on the Geithner rule.

Mr. CARTER. Do you wish to be heard on this, Mr. KING?

Mr. KING of Iowa. I thank the gentleman from Texas.

I would submit this idea, I would rather call it the Geithner corollary than the Rangel rule because it gets deeper, and when you think about how much deeper it gets, it doesn't quite show on this poster. And I'm reaching back and dusting off my memory

But it strikes me that the employment that Tim Geithner was involved in reimbursed him for the taxes that he was going to have to pay from income tax liability, for the payroll tax, the Social Security, Medicare, and Medicaid taxes, for the several years that are listed there. The reports that I have read—I believe it will also include The Wall Street Journal report—that Tim Geithner was written a check by his employer to be reimbursed in advance for the tax liability he would incur and signed an agreement multiple years in a row that he understood that he had this tax liability.

So not only did he not pay the taxes until the pressure was on—and they waived the penalty which, apparently, they pre-applied the Rangel rule with Tim Geithner, but he had actually profited by not paying his taxes because he had been reimbursed by his employer in advance for the liabilities that you see on the poster that Judge CARTER has put up.

So this is a bridge too far from my standpoint. If you have a tax liability and your employer's writing you a check to pay those taxes, you cash the check, put it in your kids' retirement fund—I'm going to presume that's what happened. That's any equity that we don't spend when we die goes into our kids' retirement fund. And so you profit from this and avoid the taxes; that's a double operation there.

So I will label that Geithner corollary to the Rangel rule, and that would be if you're nominated for a high position of, let me say, confirmation position before the United States Senate, and you find yourself, you have a tax problem, if you are able to settle this issue out of court and do so without interest or penalty—he owed $17,230 in taxes but they waived the penalty, so apparently he paid the interest, not the penalty, from that language. I want to make sure that is clear.

If you get that all done, and if America's patience and appetite will believe the idea that Tim Geithner is so smart that we can't get along without him regardless of whether he could remember to pay his taxes and regardless of whether it was an ethical decision or not, if we remember America's appetite for that was completely satiated by the time Tom Daschle was appointed and his tax problem emerged, then America said, Enough, I can't tolerate anymore of these appointments by the President that will be confirmed by the Senate that have people that have been avoiding taxes.

So now we have the lead tax writer in the United States Congress, Chairman RANGEL, that has stimulated a bill that's been introduced by Congressman CARTER, the Rangel rule, precedent that if any taxpayer admits their mistake and pays their back taxes, no penalty or interest should be assessed, especially if you're up for an appointed position to be confirmed by the United States Senate, especially if America can be convinced that your skills are so valuable that out of 306 million people there isn't a single soul that can match up to the job that you might do, regardless of the problem you might have of being paid in advance to pay your taxes, cashing the check, putting into the equity account for your kids' inheritance, and then along comes the old ''uh-oh'' from Georgia, that is, the ''I guess I better pay my taxes'' Geithner corollary.

Mr. CARTER. Reclaiming my time, it's kind of interesting that, back to our other subject, talking about holding the Federal Reserve accountable, one of the suggestions was that the Secretary of Treasury Tim Geithner be able to review the books of the Fed. Probably the smartest thing the Fed said was, No, I don't think that's a good idea, and maybe there's something to that. That may be the smartest thing the Fed has done in a long time.

We have got another issue that's been an issue for many of us, and GREG WALDEN and JOHN CULBERSON and BRIAN BAIRD have introduced a bill, House Res. 554, and they're asking that each bill have 72 hours before you take action. And this is not hard for us. We know what they're talking about because we have seen in this Congress bill after bill after bill spending billions and billions and billions of dollars that we get in the middle of the night to vote on the next day. And all they're saying is, let's do what, when Thomas Jefferson wrote the rules of this body, still follows. He said they need 3 days before voting. That's in Thomas Jefferson's rules, which he wrote for this House, and they're basically the same rules we follow now, with some changes that have been made.

All they're asking to do is let's do what Jefferson said we ought to do in

this House, and what they did in this House for a century, well, let's do it.

I yield to Mr. WESTMORELAND.

Mr. WESTMORELAND. Well, I thank you and my congratulations go to Mr. BAIRD and to the Chair, Mr. MINNICK, for pushing this, along with GREG WALDEN, the gentleman from Oregon, and the gentleman from Texas (Mr. CULBERSON).

In full disclosure, my friend from Texas and Iowa, in full disclosure, when the Republicans were in charge, we did the same thing. We rushed things through, and Mr. BAIRD, the gentleman from Washington, I think has had this 72-hour resolution in before when we were in charge, and so my hat's off to him for continuing to do this. I think he now has about 178 signatures. Mr. WALDEN who has a discharge petition has got signatures. We need 218.

So if anyone were watching this, if anyone were watching this and if we could speak to them from this floor, I would say make sure your Congressperson has signed this, because I think this is very important that not only the people voting on this have 72 hours to look at it but the people that it's going to affect.

I think sometimes we lose sight in this body that when we pass a law, it doesn't just affect the Members in this Chamber. It affects all 300 million people in this country, and so we need to make sure that the people that are going to be affected by the legislation that we're passing has an opportunity to read it.

Is everybody going to read it? I doubt it very seriously. Are all the Members of this body going to read it? I doubt it very seriously, but at least they can be held accountable and we can be held accountable for our votes, and people saying, Well, you had 3 days to read it, don't tell me it was something you would rush through. They've got 3 days to read it, and so I commend the gentleman from Texas (Mr. CULBERSON).

I commend Mr. WALDEN for trying to do the discharge petition, and I think we have about five people from the minority party that has signed that discharge petition, and I want to commend them because that's a courageous act on their part because, as we know from being in the majority at one time, leadership does not like you signing those discharge petitions.

But this is something that needs to be brought to the floor. This is something that I think the American people are entitled to have some accountability for from their Members of Congress, and so this goes back to that I'm sick and tired of being sick and tired.

And so we need to do this, and again, I hope that this is something that we can get the discharge petition through or, if not, that Speaker PELOSI would just bring this bill to the floor and let us vote on it.

Mr. CARTER. I yield to my friend from Iowa.

Mr. KING of Iowa. I thank the gentleman from Texas.

If this is going to be the most open and ethical Congress in history, this Congress has got to have an opportunity to read the bills. This leadership team will create the most honest, most open and most ethical Congress in history: NANCY PELOSI, November 16, 2006.

I will say this: Yes, there were bills that were hustled through this Chamber when Republicans were in the majority, but I have never seen anything quite as egregious as the cap-and-trade bill that came through this House of Representatives. That bill was presented to the floor of the House, scheduled for debate the following day, and at 3:09 a.m., a 316-page amendment—

Mr. WESTMORELAND. A.m., a.m.

Mr. KING of Iowa. Did I say a.m.?

Mr. WESTMORELAND. No, you said p.m.

Mr. KING of Iowa. I'm sorry, I meant to say 3:09 a.m. I appreciate that correction. I must have had some kind of chronological dyslexia in order to come up with such a thing.

However, 3:09 a.m., 316-page amendment, and I can say with great confidence that no one read the bill. I don't have to ask anybody in this Chamber if they read the bill. I know no one read the bill. I was here on the floor engaging in the debate when Congressman GOHMERT from Texas asked a parliamentary inquiry and he said, Madam Speaker, is there a copy of the enrolled bill in the Well? The answer was kind of, maybe, sort of. And we looked at the kind of, maybe, sort of stack of paper that was there, and there was a basic bill of around 1,100 pages, but the kind of, maybe, sort of didn't include the 316-page amendment.

And so after a few more inquiries, they pointed to another stack of paperwork, and Congressman GOHMERT went down to look at that paperwork, and he came back and said, Madam Speaker, parliamentary inquiry, that is not even the amendment. It was a different stack of paper.

And so after 35 minutes of turning this thing around, the most significant question was again asked by LOUIE GOHMERT of Texas, and there was a lot of dialogue going on. JOE BARTON of Texas was engaged in this thing; I give him that. And anyway LOUIE GOHMERT asked the question, after about 35 minutes of suspension of the debate on the cap-and-trade bill, he said, Madam Speaker, parliamentary inquiry: If the House of Representatives passes a bill that doesn't exist, is it possible to message a bill that doesn't exist to the United States Senate?

Well, today we know it must be possible because we passed cap-and-trade, a bill that didn't exist, and it got messaged to the Senate, and I think it probably began to exist sometime after it was messaged to the Senate. It was an appalling thing that the American people would have to watch, and Thomas Jefferson has to be rolling over two or three times. He spoke about a lot of things, 72 hours, 3 days to read the bill.

I also put out a great big pat on the back for Congressman BRIAN BAIRD for leading on this, as well as GREG WALDEN and JOHN CULBERSON, and I have signed the discharge petition and the bill, and I'm looking for the rest of the signatures on the discharge petition so it can come to this floor. That is a piece of bipartisanship that this Congress can pass that will leave a legacy for a long time to come.

And if we're so afraid of the legislation that might get passed that we can't give anybody an opportunity to read it and we wonder why people go to TEA parties in America, that's why. They're really uneasy about what they've seen: $700 billion in TARP; eight large private-sector corporations nationalized; along with then a $787 billion stimulus package rushed through Congress—it had to happen right now—and sat on the President's desk for 5 days before he signed it, and still most of it is not spent.

And with that, they watched cap-and-trade move through here in a hurry-up, rush job, when not one soul in this Congress or across this country read the bill before it passed. And then they see a hurry-up rush for a national health care act that takes away our freedom.

No wonder we have TEA parties. No wonder the American people come out. It's just a wonder that they could be so peaceful, and we've ended up with almost no, let me say, almost no violence of any kind in all the TEA parties that we had. Respectful people that exercised their right to freedom of speech and assembly and a right for redress of their grievances, and they did so in the traditional fashion envisioned by Thomas Jefferson himself.

So many generations have taken place since Thomas Jefferson, but his wisdom remains, and I certainly support H. Res. 554. Encourage everyone, including the Speaker, to sign that discharge petition. Let's get that thing out here on the floor, do the right thing for Democrats and Republicans.

Mr. CARTER. Reclaiming my time, the previous discussion that took a little over an hour before we came to the floor commending Senator Kennedy and his legacy, it seems to me that when we're talking about civility, which is one of the things they talk about, if we can get back to civility, I think the 72-hour rule would have something to do with that.

Very quickly, I want to go to one more thing and then I want to come back and talk about ACORN.

We're the czar champions of the world. We have got more czars than the Romanovs had in the entire history of their dynasty, and our friend STEVE SCALISE, who was going to be here tonight but he got tied up and couldn't come, he's got a bill to sunset these czars.

□ 2200

A czar is someone who heads a task force, a council, is appointed by the President without the consent of the Senate, is excepted from the competitive service and does not have an existing removal date. Appropriated funds

can't be used to pay for salaries and expenses of task forces or councils established by the President and headed by a czar.

This is what he's trying to do. He's trying to put a sunset on the czar policy, because it seems to an awful lot of people in this country, the term ''czar'' means absolute power, and they've created these positions of absolute power without any oversight.

I will start with my friend from Georgia.

Mr. WESTMORELAND. I thank my friend from Texas for yielding.

A czar is something that I've been getting a lot of questions about lately. Everywhere I've been in Georgia's Third Congressional District, I'm starting to get questions about the czars. People are wondering who these 34 or 35 czars are. We have already had one exposed to the extent that he eventually resigned.

People are starting to understand more and more that these czars are being appointed by the President with no confirmation by the Senate. And they're beginning to say, hey, how is this happening? What's going on here? How long are they going to serve? Do they work directly for the President? Who are they accountable to? What if they have some type of job that's under Mrs. NAPOLITANO or under Geithner, or whatever? Who do they report to? What's the deal? They would report directly to the President.

And so we need, really, sunshine on all the appointments, but especially, as the gentleman from Louisiana, H.R. 3569, at least a sunset on all these czars. This is something that the American people are very inquisitive about.

I think that because of the number of these czars and because of some of the really Communist views and really ultra left-wing views that some of these czars have that are being exposed is just bringing more and more attention to it. And I think the American people want some accountability. I'll go back to the statement, they're sick and tired of being sick and tired of more government being stacked on.

We've got 10 percent unemployment nationwide. We've got some areas with 15, 16, 17, 20 percent unemployment. The only jobs that are growing right now are in the Federal Government. That's the only thing that's growing.

With that, Judge, I hope that anybody who could be watching might encourage their Representative to look at H.R. 3569.

Mr. CARTER. We're just about to run out of time. We had a surprise guest come from the back of the room. Would you like to tell us about the czars? Did we stimulate you?

Mr. THOMPSON of Pennsylvania. You sure did, Judge. I want to thank you for bringing this up. It's just not who these folks are that we don't know; it's what they step on. I look at this as sort of the fourth or the stealth branch of government.

I came here, I know all my colleagues here, certainly the freshmen, we came knowing that we have a serious responsibility to fulfill on the different committees of jurisdiction that we're appointed to. I bring up just one example, the car czar, and what has happened to the auto industry in this country.

As I could tell, I expected when we had these issues, that we have a committee, I believe it's called Energy and Commerce, that would have dealt with the issues surrounding that industry. And yet everything that has happened in the car industry, of firing an executive from a private organization, to taking over ownership of General Motors, to dictating winners and losers in terms of the auto dealerships, all directed under the leadership of a czar.

Frankly, I know that that's the responsibility of Congress. We have a responsibility to approach that carefully and judiciously and make those types of decisions. The Constitution provided us that authority and that responsibility, and the czars are just stepping all over the Constitution.

Mr. CARTER. Reclaiming my time, thank you. We feel real good when we can call a colleague out of the dark. We're glad you're here. We are just about to wrap up our time.

Before we stop, I'm doing something different today. We've been talking about an awful lot. This is probably the most we've talked about in a single hour. As soon as this is over with, as soon as I walk across the street to my office, if you go to www.house.gov/carter, we're going to have a live Webcast for the next hour-and-a-half where you can ask questions and make comments about what we've talked about here, or anything else that's bothering you or that you're concerned about, I want to have it, so that you can tell Congress what you think. I've already started doing this. I enjoy it. I've already got 300 questions waiting right now. I'm going to advertise a little bit and welcome people to come to this Webcast.

Mr. Speaker, how much time have I got left?

The SPEAKER pro tempore. One minute.

Mr. CARTER. Thank you, everybody, for participating. It's most important you remember the subject of this conversation, and that is the rule of law that holds this society together. Never forget. We're all talking about rules and laws and how they seem to be stretched and violated. We've got to get back to the rule of law governing this Nation.

I yield back the balance of my time.

ISRAEL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Illinois (Mr. SHOCK) is recognized for half the remaining time until midnight.

Mr. SCHOCK. Thank you, Mr. Speaker.

We come together tonight to talk about a very important issue and a very important relationship that we enjoy with our only true democratic ally in the Middle East, the State of Israel.

We've seen in the last week this issue come to light with the instability in that region, with the new facility that was just discovered and made public on Friday by the United States, Great Britain and her allies. This just reinforces in the minds of many of us in Congress the importance of us remaining steadfast in making sure that the State of Iran, that country, does not receive a nuclear weapon and that we do all that we can to support our ally, the State of Israel, and peace in that region.

I was fortunate to be a part of a delegation that traveled to Israel. In fact, there were 25 Members who traveled the first week of August to Israel on a fact-finding trip; 25 Republicans, which was the largest delegation of Republicans ever to visit the State of Israel at once. The Republican delegation was led by our whip, ERIC CANTOR. The following week the Democrats were led by Majority Leader STENY HOYER, and my understanding was there were over 30 Democrat Members who went on that trip, which is the largest number of Democratic Members to travel to Israel all at one time.

If you do the math, that's over 50 Members, which is well over 10 percent of the Congress traveling to that region within a 2-week period and I think underscores the importance that this Congress believes that relationship is and the need for us to press for peace and the need for us to support our allies.

I want to take some time to reflect on my views of what I learned on that trip and some reflections of what I learned on that trip. Also here tonight, I have one of my good friends and allies who has joined me to share his experiences as well.

I would like to take this time to yield to my good friend, Mr. THOMPSON.

Mr. THOMPSON of Pennsylvania. I thank my good friend from Illinois for yielding and thank him for coordinating this time tonight when we truly do talk about our most important ally, a friend that we have and a good democratic friend in a very dangerous part of the world in the Jewish State of Israel.

It was a privilege to be able to visit the country of Israel and to go with other colleagues, to go there with an open mind and to be able to sit down and to visit and talk face to face with the President of Israel, with the Prime Minister of Israel, to meet with the military, to go into the West Bank and sit down with the Prime Minister of the Palestinian Authority and to look at the defense issues that Israel lives with each day and has since the beginning of that democratic nation; to visit all the borders on all sides of Israel and to look out into, whether it was Jordan

or Syria or Lebanon, places where, at one time or different times during their short history where missiles rained from and mortars came down on men, women and children in that State of Israel. It's a country that is very familiar and lives every day where defense is on their mind, and a strong defense.

□ 2210

In particular, it was striking to me when we were in the southern part of Israel, and we were overlooking the Gaza Strip. All the borders are being relatively peaceful right now, but at the Gaza Strip and just outside of this small farming community of Sderot where we looked and the leaders of Israel chose, in a goodwill, good-faith offer of peace, gave up what I thought looked like a pretty good piece of real estate that sat along the Mediterranean Sea, and that was the Gaza Strip.

They moved the citizens of Israel out of there, and relocated them into other parts of Israel in the hopes of obtaining a lasting peace and long peace with the Palestinians; and in exchange, what they received is about 3,000 missiles and mortars that came raining down on them.

I think the most striking conversation I had—and I know my good friend was there—was with a young mom of a 9-year-old, and she had grown up in that farming community. Her grandparents lived there. Her parents lived there. She lived her entire life there, and she lived through that time when those missiles rained. She talked about how—and we saw as we were driving in to Sderot bus stations that looked a little unusual but that was because they were designed also as bomb shelters. We saw the playground, which had a great piece of equipment sitting in it. My kids are grown now, but my boys would have loved it. It looked like a giant caterpillar and kind of weaved around. But to look closer, it actually was a bomb shelter for children that they would run to whenever a missile was launched and would soon be landing.

Now from the time the siren sounds in Israel, they have about 20 seconds until that missile lands and explodes. That young mom I think put it so striking for me. Her words I hear over and over again in my mind, Imagine yourself, you are a parent, and you are driving down the road. That siren sounds, and you've got 20 seconds to get to safety. You've got two children. They're both strapped in car seats in the back seat. Which one do you pick?

I think we take for granted our safety and security in this country. We certainly have had our attacks here. We've been relatively safe since 2001 because of the measures that were taken by President Bush and by the Congress at that point, and we have not experienced another attack on our soil in those 8 years. But we certainly have issues that I look forward to talking about further tonight in terms of future threats to not just our country but to the country of Israel. And I thank my good friend for yielding.

Mr. SCHOCK. Well, thank you for your insights, and obviously I share those observations and would like to take the opportunity to share some of my own. First, let me say that I thought the trip to Israel reinforced what I had already known and that was that the Israeli citizens want peace. I saw this message on the faces of young soldiers. I've heard a passionate thoughtful cry for peace in Prime Minister Netanyahu's words, and I even prayed for peace with Israelis as they ended their prayers on Shabbat.

Furthermore, I found that like every nation in this world, Israel is a nation of contrasts. Specifically, it is a land hemmed by unambiguous borders, yet filled with lines that have been blurred beyond recognition. New and old, the archeological and the militarily strategic, the political and the religious were all indistinguishably bundled together until each lost its own identity and had become part of the same interwoven fabric.

Each day's itinerary was packed with life-changing events; the oppressive heat that hit me every time I stepped off the bus also seemed to also challenge all of my preconceived ideas about Israel. And while I found our agenda to be filled with the study of distorted lines, there were always those stark borders which clearly separated Israel from her neighbors and delineated fact from fiction.

I found this truth as we toured the Western Wall. As I watched old rabbis press their heads against the blocks of Herod's Temple, I found no ambiguous lines. I was clearly standing at the foundation of modern Israel. Conversely, I did not hear Israel's genesis in the echo of my footsteps through the solemn corridors of Yad Vashem. True, I heard an irrefutable argument against the unforgettable atrocities that happened when the world's Jewry does not have a land to call its own. While important, Yad Vashem's lesson does not speak to Israel's birthright. Plainly, Israel does not exist because of the Holocaust.

Unfortunately, I believe President Obama crossed this unmistakable border in his Cairo speech, linking the history of Israel not to the Western Wall or Masada but to the actions of a mad man. President Obama implied that Israel was thrown together to ease the guilt of a post-World War II Europe. I find this absurd. One can easily trace the tenacity of Masada straight through 2,000 years of history to the weary resolution on the faces of David Rubinger's famous photo ''Paratroopers at the Western Wall.''

Israel does not date to the instability caused by Adolf Hitler, but to the stability engendered by Abraham. Additionally, the President spoke of mutual respect but failed to show the Israelis the same respect he displayed to Palestinians. He spoke of the daily humiliations endured by Palestinians, but did not mention the daily fears endured by the residents of Sderot as they go about their lives tethered to bomb shelters.

The President also crossed the border between fact and fiction when he put settlement construction on a pedestal as the principal bargaining chip for peace, thereby providing cover for Palestinian leaders to harden their opposition to all construction in the settlements. This misstep was completely unnecessary. It is well known that Israel has no intention of building new settlements. However, the nation also has no intention of stopping normal life in the settlements; and, unfortunately, the President inadvertently called for the latter.

Admittedly, this is a difficult topic for us to understand, and it was only on my trip that I realized the line between Israeli parents and grown children is much more blurred than it is here in the United States. I love my mother dearly, yet I do not wish to have her live right next door to me. However, many Israelis want exactly that. They want to walk to their father's house for Shabbat and employ their mother as a readily available and reliable baby sitter.

Settlements need what is referred to as natural growth, but this term is a misnomer. The settlements have no intention of growing the geographic size of their settlements. Instead, they want a natural filling in of the existing land. They want their son to be able to build a house on the vacant lot next to their home. To deprive settlers of this ability is to deprive them of living the Israeli lifestyle. I wish President Obama had toured the Alfei Menashe settlement with us so he could have learned this lesson himself. The President also needs to learn that the world cannot preach from on high to Israel.

When the President tours U.S. cities, he does not encounter bus stops that double as bomb shelters. When he sees groups of crowded students around the White House, he does not see assault rifles slung over the chaperone's shoulders. He does not live in fear. And due to these facts, the President does not have the capability to lecture Israel on what she must do to keep peace or to make her citizens safe.

Finally, I turn my attention to the largest topic facing Israel, the Iranian threat. Using more than 7,000 centrifuges, Tehran has amassed enough uranium to produce a nuclear device. At their current pace, Iran would be able to produce two more atomic weapons each year, provided they find ways to further enrich this fuel. Never before—not India, not Pakistan, not even North Korea—has a group of criminals so defiant of international law had such destructive capability; and as the people of Iran have become more vocal in their pleas for responsible leadership, the ayatollahs have become more erratic and unpredictable.

As such, we must quickly and decisively act to end this danger. Without a doubt, the United States has failed to do enough to stop Iran from becoming a proud owner of the bomb. It is true, Congress has taken a multitude of votes on this issue. However, the majority of these were simply press releases disguised as legislation. To right this wrong, I have added my name in support of multiple bills this year to strengthen sanctions against Iran.

By no means are these pieces of legislation sufficient. The United States must use every unilateral and multilateral tool it has at its disposal to cut off Iran economically, diplomatically, and politically until this shadow of a state abandons its diabolical goals.

□ 2220

These actions can only help Iran make the decisions sooner. Iran must see it can stand with peace, prosperity, and the international community, or it can continue to live in squalor and obscurity, relegated to the trash heap of the international community with the other juntas, regimes, and cabals.

When I think about the threat of Iran, I am reminded of the saying that those who do not study history are destined to repeat it. I'm reminded of my tour of Yad Vashem. I recall an eerily similar declaration to annihilate Jews. I remember a leader who perverted a religion to justify his actions. And I am reminded of the famous British Parliamentarian Edmund Burke, who once said, ''The only thing necessary for the triumph of evil is for good men to do nothing,'' which is exactly what too many Christian leaders did in that day: nothing.

This eerie similarity exists today, not with a leader who quotes the Bible but with one who quotes the Koran. His comments echo those of Hitler's; his stated goal is the same.

So what is necessary for peace? I would contend that there will be no peace until leaders around the world regardless of faiths denounce such comments, until leaders within the Muslim community reject this rhetoric, and until leaders of the Islamic states shun such hate speak within their borders. Whether someone builds a second garage or a second home within a defined community is not what stands between war and peace. A community of citizens who pervert a religion to justify hate and murder are what stand in the way of peace. This is precisely what we should all fear. It was radical Islamic terrorists who attacked the United States on September the 11th, who blew up subways in the UK. This ideology is the true barrier to peace.

I am reminded of a note that was left by the terrorists in Spain during the Madrid bombings. They said, ''We will win and you will lose. Because you love life, and we seek death.''

Therein lies the real problem with Iran. Unlike the threat of mutual destruction during the Cold War with Russia and the U.S., both knowing that if one attacked, the other would retaliate, we are now dealing with a regime that is not a socialist state like Russia but a religious state, whose leader espouses no fear of death but rather a clearly defined goal to destroy the state of Israel. This threat must be at the center of our President's and Congress's attention for the sake of Israel's security but also for the sake of our own.

Settlements, the West Bank, and a President who seems more interested in giving dictation rather than providing assistance—when spoken aloud, these problems seem rather insurmountable. I believe they are not. There is a path to peace which is as clear as the border formed by the security barrier. We only need to have the courage to take the first step on this path by ensuring Israel has our undeniable support.

Fortunately, we are not alone. The vast majority of Americans support Israel. We recognize that Israel stands as a lone beachhead of democracy in the Middle East. We know that we take our security for granted and do not judge those who are not afforded this luxury. In short, regardless of the muted lines within Israel, we know where the stark borders between our supporters and detractors are in the Middle East.

During our meeting with Shimon Peres, he said, ''Israel and her neighbors seem to be able to live in peace. We just have a problem writing it down.''

Focusing on the real threats to peace and democracy around the world, requiring leadership on the part of the Arab states to root out terrorists within their borders, and continuing to support and stand by our ally in the region, as, Mr. Netanyahu definitively stated, ''With God's help, we will know no more war. We will know peace.''

With that I yield to my good friend from the state of Louisiana, Dr. FLEMING, for his impressions of his trip to Israel and the state of the region there in the Middle East.

Mr. FLEMING. I thank my friend and the gentleman from Illinois (Mr. SCHOCK).

The three of us here this evening spent really an awesome time in Israel during August. But I want to take you back in time, Mr. Speaker, in history 71 years to today. Literally 71 years to today, and what we see in the newsreels. And that was that Lord Chamberlain waved a stack of papers in front of the camera and he uttered, We have peace in our time. And what was he talking about? He had just come from a meeting with Herr Adolph Hitler, and along with France and a few other nations, but not Czechoslovakia, they had come to an agreement to cede to Hitler the Sudetenland, which at that time was the strategic part of Czechoslovakia that was so necessary for their protection. He ceded that. Of course, Hitler claimed that it was mostly populated with Germans, but, nonetheless, Lord Chamberlain and others agreed to let him have it. And we know that today as a policy of appeasement.

He also said that he actually went there for the purpose of honor and peace. And then Winston Churchill, who was in the Parliament, replied that he went there for honor and peace but he returned with neither. Because we know that within months, Hitler began a very aggressive campaign and went on to, of course, not only take Czechoslovakia but also Poland. And, of course, as we say, the rest is history.

And what is that history? The history is that there were 20 million people killed during World War II, Mr. Speaker; 6 million of them were Jews. And in visiting the Holocaust Museum in Israel, in Jerusalem, Yad Vashem, something very interesting, I think, occurred in my mind that I never thought about until it was brought out.

We saw a lot of very interesting things there. A lot of personal stories about families who were broken apart, most of whom died in the Holocaust, people who were in death camps, a lot of personal letters and books and eyeglasses and things like that that told individual stories. We know the factual parts of this. We have all seen the documentaries that talked about the gas chambers and the ovens. And we, of course, have heard about and read about the Final Solution and Hitler's attempt to take executing human beings to a whole new scientific level, which he was able to achieve. Nothing before and nothing since has been done.

But the important thing, Mr. Speaker, about this that we must understand that really teaches us a second lesson today: The first one being the danger of appeasement, but the second is that while the Jews were being carted off to the death camps, and, of course, many of them attempted to reach safe harbor in the United States and many other countries and were denied that and, in fact, in many cases were thrown out of other countries, there was no one to speak up for the Jews. No one, not even the United States. Even we have the blight of having turned our backs on the Jews. And there was no state, there was no country to speak up for the Jews, who at that time lived in many places of the world. And because of that, after World War II and all the countries began to come together, it was decided that the Jews would have their own homeland.

□ 2230

And of course we know that the U.N. provided for that, and what was then called Palestine today is called Israel. Israel is a state, and that's so important because now Jews have a country to stick up for them. They have a people who will never back down from an evil dictator like Adolf Hitler. They will stand up for their people, and they will stand up as our ally against these things.

But the interesting thing is it's often said that what we don't learn from history is destined to repeat itself. And what we have today is a Hitler-like figure, Mr. Speaker, of course, Ahmadinejad, who is saying many of the same things that Adolf Hitler said in those days, giving the same threats.

Very few people took Hitler seriously when he said that he intended to kill the Jews, and that is what he did. Now we have Ahmadinejad who is making the same statements, and we watch before our very eyes he's building a nuclear arsenal.

And what are we doing, Mr. Speaker? Well, we are talking about sanctions. And how effective are these sanctions going to be when it's necessary to have Russia and China to help us with that? And of course, all we are getting from them is rhetoric. In fact, the only thing structurally that's been done in all of this discussion is we've given up missile defense in the Czech Republic and in Poland. So we are already beginning the appeasement process in this world while we have another Hitler-like figure out there beginning to plan the destruction of the Jews once again.

So I think we need to stand, Mr. Speaker, with our brothers and sisters in Israel, in their protection. Because in as much as Israel is so capable of taking care of itself—we all know just what a small strip of land that is—and while Israel can protect itself in many ways, there is no way that Israel can protect itself from an intercontinental ballistic missile with a nuclear warhead, and that is precisely what Iran is doing today.

And apart from that, Iran is exporting terrorism around the world. We know that Hamas and Hezbollah; we, know that al Qaeda—who is providing al Qaeda, Mr. Speaker, with the weapons they are using to kill our own sons and daughters? Again, it's Iran. So Iran is emerging as, I guess—Ahmadinejad and certainly the mullahs behind him, are really, I think, showing a tremendous parallel to pre-World War II Germany.

And I think that we need to learn from the lessons of the past, and that is that number one, we should never allow a policy of appeasement. It never gets peace and it never gives honor. It always leads to war. It's always a matter of people overseas, folks who really are out for the destruction of others, it gives them an opening to attack other countries.

And then secondly, never again should Israel be without its own country and certainly without its friends around the world. Never again should we have a situation, Mr. Speaker, as we did during World War II that was a holocaust which, of course, we know that Ahmadinejad denies to this day.

And there are many that say, look, this is just a little strip of land out there in the middle of the desert. You've got Arabs out there and you've got Jews and they're fighting over this land. Really, if you think about it, the Jews occupied this land as far back as 3500 B.C. Islam didn't even come into existence until thousands of years later, and in fact, we know that Christianity started even before Islam.

So of course there have been three major religions that have existed there and still exist there today, and as far as I'm concerned, they can exist there forever. But I think that there's no reason to think that there isn't a legitimate right for Israel to claim that as its own state.

And in summary—and this is, I think, to kind of tie it all together, Mr. Speaker—we talked about the issue of the two-state solution, and Mr. Netanyahu believes that is the way to go. We should have two states: a Palestinian state and a Jewish state. But remember that Israel is a democracy, and just simply by being outgrown by Palestinians or Muslims, it could lose its status as a Jewish state. And I think that it's essential that we not only support this two-state solution in supporting Israel, but that we support the right for Israel to exist as a Jewish state and always will.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield for a question? Actually, both of my colleagues.

When we were there, we had an opportunity to visit a number of the settlements, and I have been distressed that our President, President Obama, has been almost dictating that Israel give up part of its sovereign nation, these settlements. We were there. We walked them. We saw the strategic location of them.

I wanted to get your impressions of what your thoughts were. Should Israel give in to that direction and give up its sovereign land, those settlements that it has today?

Mr. FLEMING. If the gentleman will yield back, I will just simply say that my first impression beyond the fact that Israel is such a lovely country—I mean, just gorgeous, right in the middle of the desert next to the Mediterranean Sea. And of course we were able to see the Dead Sea and many sites that are holy to us as Christians. But just how small that country is, like a postage stamp, as narrow as 5 miles at its waist. And we saw a patchwork of villages, one being Palestinian and one being Jewish, all throughout the country.

And even though, often cases there were checkpoints and there were fences between them, you couldn't really see that. All you could see looking over is you would see evidence of a Palestinian village and you would see evidence of a Jewish village all sitting there peacefully. It's almost difficult to believe how much war and how much violence has existed there for so long.

And of course with that we visited Sderot, which is, I guess, a flash point where there have been rockets hurled and that sort of thing.

So I think that was really what I found to be very impressive.

Mr. THOMPSON of Pennsylvania. If the gentleman will yield.

Mr. FLEMING. Yes, sir.

Mr. THOMPSON of Pennsylvania. It struck me that many of those settlements are in strategic locations. They're high ground from which terrorists, the Palestinians, lobbed missiles and rockets onto the men, women, and children of Israel. And those were taken as a part of the war in 1948, and frankly, they're extremely important areas to hold on to.

I kind of think of the—as I think about our President, President Obama, dictating onto the Israeli nation that they should give up the space, it's a little bit like somebody coming to us and saying, okay, now you need to give back New Mexico, California, and Nevada to the sovereign nation of Mexico. We wouldn't stand for that. I would certainly hope that the sovereign nation of Israel would not stand for that as well.

Mr. SCHOCK. Will the gentleman yield?

Mr. THOMPSON of Pennsylvania. Yes.

Mr. SCHOCK. Okay. To your point, I think what you're suggesting is, number one, should any of these properties be, quote, given back or surrendered, but, number two, should that really be the focus of our effort towards peace.

It seems to me a little disingenuous on the part of our administration to suggest that somehow what stands between the current situation and a path road to peace is the issue of settlements is really a misnomer.

The reality is the State of Israel has shown throughout their history that they are the ones who have bargained in good faith and time and time again shown a willingness to give up lands as they have and only to their own peril; as you mentioned, what you saw in Sderot with the bomb shelters and the people who have suffered as a result of them giving up the Gaza Strip.

But the issue of Israel willing to give up this settlement or that settlement or redraw the boundaries, you and I both heard from Netanyahu's own words that they're not wedded to any set boundary. But what we also heard was out of the lips of the Prime Minister of the Palestinian Authority, which was his unwillingness to accept Israel as a Jewish state.

□ 2240

Therein lies the real problem with the pathway to peace and a two-state solution: the Palestinians' unwillingness at this point to recognize Israel as a Jewish state. I would only also add that while we are talking about settlements, Iran continues to march towards acquiring a nuclear weapon. While I certainly respect this administration's plans to begin talks and to negotiate and to try and solve this diplomatically, I would remind the American people, and my colleagues here, that this is the same administration that we want to talk to that has lied to the international community and hidden from them a nuclear facility which

the world was just made aware of last week.

So I would only question the sincerity and the ability for us to truly negotiate with trust with this regime who up until last weekend we were not even aware of an additional nuclear facility. So it's very alarming. I will tell you, I don't know what my distinguished colleagues here feel, but we have two bills that are still in this Chamber, H.R. 2194, which is the Iran Refined Petroleum Sanctions Act, and then the Iran Sanctions Enabling Act, which was H.R. 1327. Both of those bills have a majority of Members of Congress supporting it. And it just seems to me a shame that this body has not acted on that legislation to put another tool in the chest of President Obama as he goes forward to negotiate with Iran, the fact that these sanctions are there if and when they become necessary to use.

And I would just yield back.

Mr. THOMPSON of Pennsylvania. I thank the gentleman. I certainly thank you for naming those pieces of legislation. They are extremely important. They do have the large support of this entire Chamber.

I would ask the Speaker support that bill and to bring that bill to the floor so that we can do the right thing by this most important ally that we have in the Middle East and would serve the needs. I think what you have talked about tonight really most recently addresses the most immediate threat in Israel and I think the most immediate threat to the United States, and that is the situation in Iran.

Mr. Speaker, Iran has recently revealed the development of a secret nuclear facility. And Iran's admission of the operations of a secret nuclear facility is a serious problem and a serious threat. While this new revelation is alarming, it's not unexpected. Iran has deceived the world time and time again. And any attempts to assure the world that their nuclear program is peaceful should be seen for what it is, and that is just another lie.

Now, Mr. Speaker, it's time to impose meaningful sanctions on the Iranian Government. We have legislation that has been drafted and introduced and has the support of the majority Members of this Chamber. We must not continue a foreign policy that extends a hand of cooperation to our enemies while they continue dangerous acts of deception. If the nuclear facility was designed for civilian purposes, we have to ask, why did Iran conceal its existence?

We must impose meaningful sanctions on the threat that endangers the safety of American citizens and America's allies. Now, the confirmation of this secret nuclear facility is troubling, especially to me at a time just days after the Obama administration announced plans to abandon the placement of a missile defense system in the Czech Republic and Poland and all because Russia was not happy with the idea. Only 1 year since Russia invaded Georgia and 70 years to the day since the Soviet Union invaded Poland, the administration has announced the dismantling of one our most important missile defense systems at the expense of our allies.

Mr. Speaker, the abandonment of the European missile defense site, which could have protected the homeland of the United States against Iranian long-range missiles, is unacceptable. As I was talking with one of the Chairs of our missile defense caucus in this body, he described to me that there are plans for a better system to be put in place.

However, that new missile defense program will not be operational until 2018 or 2020. And while we do have other missile defense shields in place that will remain, he described it like this: it's like trying to bring down an airplane with a baseball. He supposed it could be possible, but it's a one-in-a-million chance. When you think of intercontinental ballistic missiles that travel the speed of 10,000 miles per hour, to me it's unacceptable at this point in time in our history when we have threats that sometimes come from other countries, such as Iran, sometimes from terrorists that hold no national identity, and it's alarming to me that we are taking down this missile defense program.

Mr. FLEMING. Would the gentleman yield on that point?

Mr. THOMPSON of Pennsylvania. Please.

Mr. FLEMING. I appreciate the gentleman pointing out the fact that what we are doing in fact is removing a missile shield that is just before deployment, that would go into the Czech Republic, that would go into Poland. It would be, of course, subsurface. It would be something that would help defend much of that region of the country, including 80 American military bases; and, instead, we are going to exchange it for a whole different, a ship-based system which requires, first of all, a lot of development that is not yet in place.

As you point out, it is going to be another decade before it will even be capable. It would require ships being in exactly the right place at the right time. And it also begs the point: If Iran is developing nuclear material just for civilian purposes, why do they need all of this rocketry ability? They just ran a test, a three-rocket test, one of which had a range of 1,500 miles. Now why do you need that? I'm pretty sure Iran is not planning to go to the Moon. So for what purpose is that?

And what is also, I think, ironic is the fact that our President is talking about renewing the STAR treaty and taking our already reduced nuclear weapons down to an even lower level. If we do this with Russia at the same time as there are more countries than ever that have more nuclear weapons and more capability to deliver those weapons than ever, so again it goes back to the appeasement question: Does it make sense to unilaterally disarm yourself while your potential enemies, and I would say in this case with Iran, our enemy, because they are killing our men and women through their proxies and through their surrogates and their weapons. Why in the world would we be doing that when in fact we have a growing threat from them?

And going back to Israel, it seems that wherever you see the U.S. military around the world, peace breaks out. You look at World War II, troops were in Japan, troops were in the Philippines, they were in France, they were in England and Germany. All those countries now are very peaceful democracies. And of course we went into Iraq, and Iraq is evolving into an oasis, if you will, of democracy, as is Israel.

So it seems to me that we need to stay on the same post-World War II course of certainly using Theodore Roosevelt's old philosophy, ''speak softly but carry a big stick,'' rather than using a lot of rhetoric about all the things that we want to do and all the sanctions we want to take and yet disarm ourselves and our friends at the same time.

Certainly, one only has to ask around the world who is happy with this right now and who isn't. Well, it turns out our friends are unhappy with us and our enemies are happy with us all the way from Venezuela to Iran to Russia. They are all happy with everything we've been doing lately and the decisions our President has been making. We found out while we were in Israel that the President has a 4 percent, yes, 4 percent favorability rating. They are very unhappy with his position on Iran right now and also on the Palestinian question.

So I think that it's certainly nice to be liked overseas; but when you're liked by your enemies and also of course Poland and the Czech Republic are unhappy with us right now because we left them in the dust after agreeing to put a missile shield there and then pulling out after they've gone out on a limb for us, I think we are going, Mr. Speaker, in the wrong direction in the way we deal with our friends and our enemies in and around this question of Iran and the nuclear weapons that they have.

With that, I will yield back to my friends.

□ 2250

Mr. SCHOCK. Well, I agree, and it's why it's so important that we impress on this body the importance that we take up the legislation that we mentioned earlier dealing with sanctions, but also, we raise this issue in this body.

You know, we've been so focused on the issue of health care the last couple of months, and while this is an important issue that the President has made throughout the past year, the reality is we need to look no further than September 11 to know that, if this country

is not safe, if your allies are not safe, and that if terrorism is allowed to breed around the world, that really nothing else matters, and that nothing can be more detrimental to our economy and our way of life than for terrorism to breed, to be successful and, ultimately, be able to attack democracy, as we saw with our markets here after September 11, the great job loss, the great tumble that it took as a result of the attacks of September 11.

We need to remain vigilant in not only keeping our country safe but also supporting the allies around the world, and I think it's why my friends here tonight have spent some time talking about this important issue, which has been raised last week by the discovery of this facility, that the State of Iran has attempted to keep from the international community.

And one has to ask the question: why? If their intentions are what they say they are, if their intentions are pure and simple, if their intentions are non-nuclear or non-weapons grade, if their intentions are simply to provide energy to their people, certainly that is not something that requires the dark of night or secret. That is something that you would think one would be happy for full disclosure.

And our own estimates suggest that the centrifuges in that facility are not designed to produce energy-grade uranium but, rather, weapons-grade uranium. And so I think it adds to the doubt in many of our minds and the concern for our President to move rather quickly for, if not this facility, perhaps some others that we don't know about that are still out there.

So I thank the gentlemen for being here tonight and sharing their perspectives of our trip to Israel and also impressing on the public the importance of us taking up the issue of Iran and dealing very swiftly with sanctions and, if not sanctions, supporting Israel's efforts to stop a nuclear Iran.

Mr. FLEMING. I would just say I would like to thank Congressman SCHOCK for having this Special Order hour this evening so that we could talk about this important issue, and it's one that we're going to be talking about a lot more in the coming days because it's pretty apparent that all of these issues are beginning to line up. They're beginning to stack up very rapidly.

And of course, the issue that we know our friends and Israel are facing is that if we are unable to bring the Iranians to the negotiating table or to have sanctions that work, then they're still the last option left on the table, which they reserve the right as a sovereign Nation to do, and that is, potentially take out the nuclear facilities in Iran.

We pray that it doesn't come to that, but it has already of course in Syria and Iraq back in the Hussein days, and we are looking for peaceful solutions. But we have counterweight around the world in Russia and China that as soon as we try to do one thing they want to reverse it. Russia is a very significant trading partner with Iran. They're providing Iran with a state-of-the-art SAM missile system which is going to close the window for the capability of Israel to potentially attack Iran's nuclear facilities if that needs to be done, which is all the more important why decisions are having to be made at an even faster pace.

So, once again, I thank Mr. SCHOCK for bringing us together for this hour.

Mr. SCHOCK. I thank Dr. Fleming for being here.

Mr. THOMPSON of Pennsylvania. I also want to thank my good friend from Illinois and my good friend from Louisiana for being here tonight on this important topic.

I mean, the Constitution, when we were sworn in which seems like a lifetime ago back in January, we placed our hand on the Bible, raised our hand, and we swore to uphold and defend that Constitution. And within that, one of the first responsibilities is for common defense. That's the first, and I think the most responsibility that we have as Members of Congress is our safety and security, and certainly, this issue is one that is all about safety and security.

Frankly, history shows, and we know, that a strong defense is a strong deterrent. We want peace. We pray for peace. I long for a day when the whole world is at peace, but we know that we need a strong defense in order to serve as a deterrent to achieve peace. And I'm hopeful that we will see the day that—and I believe it was the President of Israel, Shimon Peres, who said he longs for a day when rising out of the desert we see buildings and not missiles and that we know the economic impact and that we have peace that we can also cherish.

So I thank Mr. SCHOCK for coordinating this evening.

Mr. SCHOCK. I thank Mr. THOMPSON.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today and until 5 p.m. September 30.

Mr. BACA (at the request of Mr. HOYER) for September 25 on account of legislative business.

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. LIPINSKI) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. GRAYSON, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, October 6.

Mr. JONES, for 5 minutes, October 6.

Mr. INGLIS for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, September 30.

Mr. DUNCAN, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. DELAHUNT, for 5 minutes, today.

Mr. SMITH of Texas, for 5 minutes, today.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3607. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 3614. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ADJOURNMENT

Mr. SCHOCK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 30, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3838. A letter from the Acting Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Country of Origin Labeling of Packed Honey [Doc. No.: AMS-FV-08-0075; FV-08-330] (RIN: 0581-AC89) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3839. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Nectarines and Peaches Grown in California; Changes in Handling Requirements for Fresh Nectarines and Peaches [Doc. No.: AMS-FV-08-0108; FV09-916/917-1 FIR] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3840. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in a Designated Area of Southeastern California; Decreased Assessment Rate [Doc. No.: AMS-FV-08-0107; FV09-925-2 FIR] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3841. A letter from the Administrator, Department of Agriculture, transmitting the

Department's final rule — Apricots Grown in Designated Counties in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-09-0038; FV09-922-1 IFR] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3842. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Onions Grown in South Texas; Decreased Assessment Rate [Doc. No.: AMS-FV-09-0044; FV09-959-2 IFR] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3843. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Modification of the Handling Regulation for Area No. 2 [Doc. No.: AMS-FV-08-0094; FV09-948-1 FIR] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3844. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Olives Grown in California; Increased Assessment Rate [Doc. No.: AMS-FV-08-0105; FV09-932-1 FIR] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3845. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Relaxation of Handling Requirements [Doc. No.: AMS-FV-08-0106; FV09-925-1 FIR] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3846. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports (2009 Amendments) [Doc. #: AMS-CN-09-0015; CN-09-002] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3847. A letter from the Acting Administrator, Department of Agriculture/Agricultural Marketing Service, transmitting the Department's final rule — User Fees for 2009 Crop Cotton Classification Services to Growers [Doc. #: AMS-CN-09-0011; CN-09-001] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3848. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule — Truth in Lending [Regulation Z; Docket No. R-1365] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3849. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

3850. A letter from the Speaker, National Assembly of Kuwait, transmitting Congratulations to the United States on the Anniversary of its Founding; to the Committee on Foreign Affairs.

3851. A letter from the Secretary General, Organization for Security and Cooperation in Europe, Parliamentary Assembly, transmitting the Vilnius Declaration and Resolutions adopted on July 3, 2009 at the Eighteenth Annual Session of the Organization for Security and Co-operation in Europe Parliamentary Assembly, pursuant to Public Law 102-138, section 169(e) (105 Stat. 679); to the Committee on Foreign Affairs.

3852. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's Annual No FEAR Report to Congress for Fiscal Year 2008, pursuant to Public Law 107-174, section 203; to the Committee on Oversight and Government Reform.

3853. A letter from the Director, Office of Personnel Management, transmitting the Office's report entitled, ''Federal Student Loan Repayment Program FY 2008'', pursuant to 5 U.S.C. 5379(a)(1)(B) Public Law 106-398, section 1122; to the Committee on Oversight and Government Reform.

3854. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Virginia Advisory Committee; to the Committee on the Judiciary.

3855. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to Restricted Areas R-5103A, R-5103B, and R-5103C; McGregor, NM [Docket No.: FAA-2009-0770; Airspace Docket No. 09-ASW-20] (RIN: 2120-AA66) received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3856. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No.: FAA-2009-0136; Directorate Identifier 2008-NM-171-AD; Amendment 39-16022; AD 2009-19-05] (RIN: 2120-AA64) received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3857. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes [Docket No.: FAA-2009-0292; Directorate Identifier 2008-NM-011-AD; Amendment 39-16011; AD 2009-18-15] (RIN: 2120-AA64) received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3858. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No.: FAA-2009-0447; Directorate Identifier 2008-NM-172-AD; Amendment 39-15993; AD 2009-17-02] (RIN: 2120-AA64) received August 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3859. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 7874: Treatment of Certain Stock of the Foreign Acquiring Corporation [Notice: 2009-78] received September 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3860. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Procedures for taxpayers to make an election to defer recognizing discharge of indebtedness income (Rev. Proc. 2009-37) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3861. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Work Opportunity Tax Credit [Notice 2009-69] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3862. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier I Issue — Industry Director Directive on Section 936 Exit Strategies #3 received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3863. A letter from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Attorney Advisor Program Sunset Date Extension [Docket No.: SSA-2009-0023] (RIN: 0960-AH01) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3864. A letter from the Acting Deputy Assistant Administrator, U.S. Agency for International Development, transmitting the Agency's thrid fiscal year 2009 quarterly report on unobligated and unexpended appropriated funds, pursuant to Public Law 111-8, section 7002; jointly to the Committees on Appropriations and Foreign Affairs.

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. RAHALL: Committee on Natural Resources. H.R. 685. A bill to require a study of the feasibility of establishing the United States Civil Rights Trail System, and for other purposes; with amendments (Rept. 111–267). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2442. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes (Rept. 111–268). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2950. A bill to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District; with an amendment (Rept. 111–269). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 905. A bill to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve, and for other purposes; with an amendment (Rept. 111–270). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1771. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; with an amendment (Rept. 111–271). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1053. A bill to require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes; with an amendment (Rept. 111–272 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 1881. A bill to enhance the transportation security functions of the Department of Homeland Security by providing for an enhanced personnel system for employees of the Transportation Security Administration, and for other purposes (Rept. 111–273 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWNS: Committee on Oversight and Government Reform. H.R. 1881. A bill to enhance the transportation security functions of the Department of Homeland Security by providing for an enhanced personnel system for employees of the Transportation Security Administration, and for other purposes (Rept. 111–273 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWNS: Committee on Oversight and Government Reform. H.R. 2711. A bill to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties; with an amendment (Rept. 111–274). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWNS: Committee on Oversight and Government Reform. H.R. 2092. A bill to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes; with an amendment (Rept. 111–275). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1053 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WU:

H.R. 3659. A bill amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid for energy efficient property placed in service in commercial buildings pursuant to an approved energy efficiency plan; to the Committee on Ways and Means.

By Mr. WU (for himself and Mrs. BONO MACK):

H.R. 3660. A bill to amend the Internal Revenue Code of 1986 to promote tax parity between the residential and business fuel cell tax credits; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 3661. A bill to amend title 38, United States Code, to provide for a monthly housing stipend under the Post-9/11 Educational Assistance Program for individuals pursuing programs of education offered through distance learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Georgia (for himself, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Mr. REYES, and Mr. WEXLER):

H.R. 3662. A bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. SPACE (for himself, Mr. TERRY, Mr. BERRY, Mrs. EMERSON, Mr. MORAN of Kansas, Mr. MELANCON, Mr. GONZALEZ, Mr. DOGGETT, and Mr. POMEROY):

H.R. 3663. A bill to amend title XVIII of the Social Security Act to delay the date on which the accreditation requirement under the Medicare Program applies to suppliers of durable medical equipment that are pharmacies; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHWARTZ:

H.R. 3664. A bill to direct the Secretary of Health and Human Services to establish a Healthcare Innovation Zone pilot program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mrs. CAPPS, Ms. MATSUI, and Ms. MOORE of Wisconsin):

H.R. 3665. A bill to amend title XIX of the Social Security Act to provide for payment for Medicaid services furnished by Ryan White part C grantees under a cost-based prospective payment system; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself and Mr. REICHERT):

H.R. 3666. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Ways and Means.

By Mr. CRENSHAW:

H.R. 3667. A bill to designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the ''Clyde L. Hillhouse Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. DEGETTE (for herself, Mr. CASTLE, Mr. KIRK, Mr. SPACE, Mr. COLE, Mr. KILDEE, and Mr. BECERRA):

H.R. 3668. A bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act; to the Committee on Energy and Commerce.

By Mr. GUTIERREZ:

H.R. 3669. A bill to prohibit employers from carrying life insurance policies on their rank and file employees; to the Committee on Education and Labor.

By Mr. CARNAHAN (for himself, Mr. TURNER, Ms. SCHWARTZ, Ms. BERKLEY, Mr. CROWLEY, Mr. HINCHEY, Mr. LANGEVIN, Mr. COHEN, Mr. VAN HOLLEN, Mr. SKELTON, Mr. BLUMENAUER, Mr. CAPUANO, Mr. DELAHUNT, Mr. CLAY, Mr. CLEAVER, Mr. BRALEY of Iowa, Mr. LOEBSACK, Mr. RYAN of Ohio, Mr. HOLT, Mr. BOUCHER, Mr. KENNEDY, Mr. GONZALEZ, Mr. GORDON of Tennessee, Mr. BOSWELL, and Mr. HIGGINS):

H.R. 3670. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the rehabilitation of older buildings, including owner-occupied residences; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. BERRY, Mr. BRALEY of Iowa, Ms. MCCOLLUM, Mr. BOSWELL, Mr. ELLISON, Mr. LOEBSACK, and Mr. WALZ):

H.R. 3671. A bill to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes; to the Committee on Natural Resources.

By Mrs. MCCARTHY of New York (for herself, Mr. COSTELLO, Mr. ANDREWS, Mr. KENNEDY, Ms. KAPTUR, and Ms. FUDGE):

H.R. 3672. A bill to provide for an increase of $150 in social security benefits for one month in 2010 to compensate for the lack of a cost-of-living adjustment for that year, and to amend title II of the Social Security Act to eliminate the requirement that there be a social security cost-of-living adjustment for an adjustment in the contribution and benefit base to occur; to the Committee on Ways and Means.

By Ms. SCHWARTZ:

H.R. 3673. A bill to extend the temporary suspension of duty on certain liquid-filled glass bulbs; to the Committee on Ways and Means.

By Mr. WELCH (for himself, Mr. OBEY, Mr. WALZ, Mr. PERRIELLO, Mr. HOLDEN, Mr. BARTLETT, Mr. COURTNEY, Mr. ARCURI, Mr. MASSA, Mr. MICHAUD, Ms. SLAUGHTER, Mr. PLATTS, Mrs. DAHLKEMPER, Ms. SHEA-PORTER, Mr. OLVER, and Mrs. KIRKPATRICK of Arizona):

H.R. 3674. A bill to impose tariff-rate quotas on certain casein and milk protein concentrates; to the Committee on Ways and Means.

By Mr. TIAHRT:

H. Con. Res. 192. Concurrent resolution expressing the sense of Congress that the Association of Community Organizations for Reform Now (ACORN) should lose its exemption from taxation under the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia (for himself, Ms. CLARKE, Mr. CONNOLLY of Virginia, Mr. DAVIS of Alabama, Ms. GIFFORDS, Mr. GRIFFITH, Mr. HALL of New York, Mr. HIMES, Ms. HIRONO, Ms. JACKSON-LEE of Texas, Mr. MINNICK, Ms. MOORE of Wisconsin, Mr. PAYNE, Mr. PIERLUISI, Ms. LORETTA SANCHEZ of California, Mr. SCOTT of Georgia, Mr. MEEK of Florida, Mr. SMITH of Texas, Mr. PERLMUTTER, Mr. DAVIS of Tennessee, Mr. MILLER of North Carolina, Mr. ANDREWS, Ms. WOOLSEY, Mr. BROUN of Georgia, Mr. HARE, Mr. MEEKS of New York, Ms. BERKLEY, Mr. ENGEL, Ms. WASSERMAN SCHULTZ, Ms. BORDALLO, Mr. AL GREEN of Texas, Mr. LEWIS of Georgia, Mr. DELAHUNT, and Mr. MCGOVERN):

H. Res. 782. A resolution demanding that the Government of Iran immediately disclose the existence of any additional nuclear-related facilities and provide unfettered access to its Qom enrichment facility; to the Committee on Foreign Affairs.

By Mr. MARIO DIAZ-BALART of Florida (for himself, Mr. MEEKS of New York, Mr. PIERLUISI, Mr. NUNES, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PENCE, Mr. GENE GREEN of Texas, Mr. ROSKAM, Mr. SERRANO, Ms. ROS-LEHTINEN, Mr. FILNER, Mr. BACA, Mr. DENT, Mr. MCCOTTER, Ms. HIRONO, Mr. JOHNSON of Georgia, Mr. GRIJALVA, Mr. LARSON of Connecticut, and Mr. BURTON of Indiana):

H. Res. 783. A resolution recognizing Hispanic Heritage Month and celebrating the vast contributions of Hispanic Americans to the strength and culture of the United States; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas (for himself, Mr. CAO, Ms. LEE of California, Mr. GENE GREEN of Texas, Mr. CROWLEY, Mr. HONDA, Ms. CHU, Ms. HIRONO, Mr. DAVIS of Illinois, Ms. WATSON, Mr. ELLISON, Ms. BERKLEY, Mr. SCOTT of Virginia, Mr. HASTINGS of Florida, Ms. FUDGE, Ms. KILROY, Mr. JOHNSON of Georgia, Mr. BECERRA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAYNE, Mr. CUMMINGS, Mr. LEVIN, Mr. CLEAVER, Mr. PASCRELL, Mr. NADLER of New York, Ms. MCCOLLUM, Mr. BUTTERFIELD, Mr. CARSON of

Indiana, Ms. CLARKE, Mr. ACKERMAN, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. BISHOP of Georgia, Mr. SCOTT of Georgia, Mr. CLAY, Ms. WATERS, Mr. MEEKS of New York, Mr. MILLER of North Carolina, Mr. SABLAN, Mr. SHERMAN, and Mr. FILNER):

H. Res. 784. A resolution honoring the 2560th anniversary of the birth of Confucius and recognizing his invaluable contributions to philosophy and social and political thought; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

191. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 7 urging the President and the Congress of the United States to expand federally funded research efforts aimed at developing a reliable means of detecting pancreatic cancer in its early stages and more effective means of treatment through legislative measures; to the Committee on Energy and Commerce.

192. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 69 urging the Congress of the United States to enact legislation to waive for two years the requirement that Michigan match federal Highway funds; to the Committee on Transportation and Infrastructure.

193. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 70 urging the President and Congress to grant Michigan a two-year waiver from federal matching requirements for federal-aid bridge and highway projects; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. OBEY.
H.R. 161: Mr. POSEY.
H.R. 211: Mr. BISHOP of New York and Mr. PASTOR of Arizona.
H.R. 235: Ms. MARKEY of Colorado and Mr. GINGREY of Georgia.
H.R. 330: Ms. RICHARDSON.
H.R. 391: Mr. CALVERT.
H.R. 471: Mr. COSTELLO.
H.R. 555: Mr. WEINER.
H.R. 560: Mr. LINDER and Mr. LATHAM.
H.R. 571: Mr. MASSA, Ms. EDWARDS of Maryland, Mr. HONDA, and Mr. ISRAEL.
H.R. 621: Mr. FORBES, Ms. MOORE of Wisconsin, and Mr. CAMP.
H.R. 624: Mr. HONDA and Mr. RADANOVICH.
H.R. 653: Ms. SCHAKOWSKY.
H.R. 658: Mr. GRAYSON.
H.R. 669: Ms. HIRONO and Mr. PASCRELL.
H.R. 676: Mr. RAHALL.
H.R. 690: Mr. HALL of Texas, Ms. GRANGER, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. BUYER, Mr. FOSTER, Mr. SOUDER, Mr. WHITFIELD, Mr. SMITH of Texas, and Mr. DICKS.
H.R. 745: Mr. COSTELLO.
H.R. 790: Mr. NEAL of Massachusetts.
H.R. 1026: Mr. MCCLINTOCK.
H.R. 1030: Mr. RANGEL, Mr. LATOURETTE, Mr. ELLISON, and Mr. MCGOVERN.
H.R. 1065: Mr. FRANKS of Arizona and Mr. FLAKE.
H.R. 1093: Mr. TIM MURPHY of Pennsylvania, Mr. SPRATT, and Mr. MURTHA.
H.R. 1126: Mr. MANZULLO.
H.R. 1179: Ms. MATSUI.
H.R. 1203: Mr. COURTNEY and Mrs. BONO MACK.
H.R. 1204: Mr. WESTMORELAND.
H.R. 1205: Mr. MILLER of Florida.
H.R. 1207: Mr. DOYLE.
H.R. 1230: Mr. BRALEY of Iowa and Ms. SCHAKOWSKY.
H.R. 1245: Mr. DAVIS of Tennessee, Mr. ROE of Tennessee, and Mr. REHBERG.
H.R. 1255: Mr. LUETKEMEYER.
H.R. 1283: Mr. REYES.
H.R. 1319: Mr. RADANOVICH.
H.R. 1324: Mr. DOGGETT, Mr. NEAL of Massachusetts, Mr. ENGEL, Mr. HIGGINS, Mr. HODES, and Mr. ABERCROMBIE.
H.R. 1327: Mr. BOUSTANY, Mr. MCCAUL, Mr. HOYER, Mr. PENCE, Ms. CASTOR of Florida, and Mr. HARPER.
H.R. 1395: Mr. LEWIS of California.
H.R. 1402: Mr. TIBERI.
H.R. 1410: Mr. PRICE of North Carolina.
H.R. 1426: Mr. GOODLATTE.
H.R. 1454: Mr. BAIRD.
H.R. 1483: Mr. MCGOVERN.
H.R. 1548: Mr. LUETKEMEYER.
H.R. 1557: Mrs. MYRICK.
H.R. 1570: Mr. MARIO DIAZ-BALART of Florida.
H.R. 1615: Mr. SNYDER.
H.R. 1628: Mr. MANZULLO.
H.R. 1646: Mr. HARPER.
H.R. 1677: Mr. BONNER and Mr. THOMPSON of Mississippi.
H.R. 1685: Ms. PINGREE of Maine and Mr. JACKSON of Illinois.
H.R. 1689: Mr. BOREN.
H.R. 1691: Mr. CALVERT.
H.R. 1744: Mrs. CAPITO and Mr. BACA.
H.R. 1769: Mr. QUIGLEY.
H.R. 1831: Mr. FORBES, Mr. NEUGEBAUER, and Mr. JACKSON of Illinois.
H.R. 1908: Mr. ROSS and Mr. THOMPSON of California.
H.R. 1970: Mr. GRAVES.
H.R. 1981: Mr. MANZULLO.
H.R. 1993: Ms. BEAN and Mr. ABERCROMBIE.
H.R. 2017: Mr. KLINE of Minnesota, Ms. BORDALLO, Mr. TOWNS, Mr. ORTIZ, and Mr. MORAN of Virginia.
H.R. 2035: Mr. CARNEY.
H.R. 2058: Ms. ZOE LOFGREN of California.
H.R. 2061: Mr. MANZULLO.
H.R. 2083: Mr. KLINE of Minnesota.
H.R. 2084: Mrs. NAPOLITANO.
H.R. 2103: Mr. MICHAUD.
H.R. 2138: Mr. HALL of New York, Mr. MCGOVERN, and Mr. BOOZMAN.
H.R. 2149: Mr. FORBES, Mr. KING of New York, Ms. WASSERMAN SCHULTZ, and Mr. PRICE of Georgia.
H.R. 2246: Mrs. MALONEY.
H.R. 2251: Ms. SPEIER.
H.R. 2329: Mr. JOHNSON of Georgia.
H.R. 2345: Ms. JENKINS, Mr. PAULSEN, and Mr. DRIEHAUS.
H.R. 2377: Ms. RICHARDSON and Mr. JOHNSON of Georgia.
H.R. 2382: Mr. MCGOVERN.
H.R. 2452: Mr. PITTS, Mr. BURTON of Indiana, Mr. POSEY, Mr. MOORE of Kansas, and Mr. CUELLAR.
H.R. 2478: Mr. DOGGETT, Mr. PASTOR of Arizona, Mr. BOOZMAN, and Ms. DELAURO.
H.R. 2489: Mr. SARBANES.
H.R. 2499: Mr. LYNCH.
H.R. 2515: Mr. MICHAUD.
H.R. 2521: Mr. GUTIERREZ, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 2523: Mr. STUPAK.
H.R. 2555: Mr. JACKSON of Illinois.
H.R. 2560: Mr. BARTLETT, Mr. HOLT, Mr. OLVER, Mr. CALVERT, and Mr. LANGEVIN.
H.R. 2567: Ms. MATSUI and Mr. Stark.
H.R. 2584: Mr. CAMP, Mr. WILSON of Ohio, Mr. ARCURI, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 2648: Mr. HARE and Mr. ELLSWORTH.
H.R. 2655: Mr. CAO.
H.R. 2672: Mrs. MCMORRIS RODGERS.
H.R. 2698: Mr. ANDREWS, Mr. MASSA, and Ms. MARKEY of Colorado.
H.R. 2699: Mr. MASSA and Ms. MARKEY of Colorado.
H.R. 2743: Mr. BRADY of Texas and Mr. CAPUANO.
H.R. 2771: Mrs. KIRKPATRICK of Arizona.
H.R. 2788: Mr. BOSWELL, Mr. DREIER, Mr. MASSA, Mr. SNYDER, Mrs. BONO MACK, Mr. WU, Mr. ROHRABACHER, Mr. ISSA, and Mr. LEWIS of California.
H.R. 2807: Mr. LUJÁN.
H.R. 2866: Mr. LEVIN and Ms. MARKEY of Colorado.
H.R. 2870: Ms. MCCOLLUM.
H.R. 2900: Mr. MCCLINTOCK and Mr. NEUGEBAUER.
H.R. 2935: Mr. KLINE of Minnesota and Mr. MARIO DIAZ-BALART of Florida.
H.R. 2936: Ms. SLAUGHTER and Mr. LATOURETTE.
H.R. 2939: Mrs. BLACKBURN and Ms. LINDA T. SÁNCHEZ of California.
H.R. 2941: Mr. MCCOTTER and Mr. LANCE.
H.R. 3017: Mr. RANGEL, Mr. WATT, and Mr. REYES.
H.R. 3024: Mr. ALTMIRE, Mr. WU, and Mr. COHEN.
H.R. 3077: Mr. BOSWELL, Mr. SERRANO, Mr. OBERSTAR, and Mr. GEORGE MILLER of California.
H.R. 3116: Ms. SUTTON and Mrs. BLACKBURN.
H.R. 3202: Mrs. CAPPS and Mr. KUCINICH.
H.R. 3226: Mr. DEAL of Georgia and Mr. PLATTS.
H.R. 3238: Mr. JACKSON of Illinois.
H.R. 3245: Ms. DELAURO and Mr. MCGOVERN.
H.R. 3255: Mr. HERGER.
H.R. 3286: Mr. COHEN, Ms. SLAUGHTER, and Mr. STARK.
H.R. 3308: Mr. WILSON of South Carolina and Mr. BACHUS.
H.R. 3337: Mr. SESTAK.
H.R. 3348: Mr. YOUNG of Alaska, Mr. OBERSTAR, and Mr. SESSIONS.
H.R. 3375: Mrs. MYRICK.
H.R. 3403: Ms. MATSUI.
H.R. 3421: Mr. GRIJALVA, Ms. MCCOLLUM, and Mr. CONYERS.
H.R. 3467: Mr. MASSA.
H.R. 3486: Ms. FUDGE and Mr. CAMP.
H.R. 3531: Mr. WEINER.
H.R. 3535: Mr. NADLER of New York.
H.R. 3554: Mr. FATTAH, Mr. PLATTS, Mr. HOLDEN, Mr. GUTIERREZ, Mr. ROHRABACHER, Mr. OBERSTAR, Mr. BRALEY of Iowa, Mr. CHILDERS, Mr. HINCHEY, Mr. ISRAEL, and Mr. MOORE of Kansas.
H.R. 3559: Mr. LEWIS of Georgia.
H.R. 3560: Ms. CLARKE.
H.R. 3569: Ms. JENKINS, Mr. SOUDER, and Mr. CARTER.
H.R. 3571: Mr. FORTENBERRY.
H.R. 3572: Mr. HALL of New York.
H.R. 3585: Mr. LIPINSKI, Mr. INSLEE, Mr. COOPER, Mr. BAIRD, and Mr. MCCAUL.
H.R. 3597: Mr. GUTIERREZ.
H.R. 3610: Mr. WESTMORELAND, Mr. PAUL, and Mr. MILLER of Florida.
H.R. 3621: Mr. DOYLE and Mr. HIGGINS.
H.R. 3630: Mr. EDWARDS of Texas.
H.R. 3644: Ms. BORDALLO.
H.R. 3646: Mr. WELCH.
H.R. 3650: Mr. PALLONE, Ms. BORDALLO, Mr. BARROW, Mrs. CAPPS, and Ms. ROS-LEHTINEN.
H.J. Res. 47: Ms. HERSETH SANDLIN and Mr. BOOZMAN.
H. Con. Res. 51: Mr. BERMAN.
H. Con. Res. 98: Mr. GRIJALVA.
H. Con. Res. 139: Mr. BISHOP of Utah, Mr. BOREN, Mr. BRIGHT, Mr. DICKS, Ms. GIFFORDS, Mr. SKELTON, and Mr. SMITH of Washington.
H. Con. Res. 144: Mr. COOPER and Ms. ZOE LOFGREN of California.

H. Con. Res. 151: Mr. NYE, Mr. MILLER of North Carolina, Mr. SHERMAN, and Mr. DOGGETT.

H. Con. Res. 181: Mr. CAMP and Mr. KILDEE.

H. Con. Res. 185: Mr. LEWIS of California, Mr. DEAL of Georgia, and Mr. SMITH of Nebraska.

H. Res. 16: Mr. BACA.

H. Res. 55: Mr. PITTS, Mrs. BONO MACK, and Mr. BACHUS.

H. Res. 111: Ms. WATSON.

H. Res. 159: Mr. SMITH of Washington, Mr. PETERS, Mr. JOHNSON of Georgia, Ms. MATSUI, and Mr. MURPHY of Connecticut.

H. Res. 175: Mr. GUTIERREZ and Mr. TOWNS.

H. Res. 199: Mr. CALVERT.

H. Res. 615: Mr. AUSTRIA and Mr. HALL of Texas.

H. Res. 692: Mr. GENE GREEN of Texas.

H. Res. 706: Mr. MURPHY of Connecticut and Mr. INGLIS.

H. Res. 715: Mrs. MILLER of Michigan, Mr. REHBERG, Ms. Chu, Ms. DEGETTE, Mr. PETERSON, Mr. KILDEE, Ms. EDWARDS of Maryland, Mr. SCHAUER, Ms. ZOE LOFGREN of California, Mr. TONKO, Mr. STUPAK, Ms. FUDGE, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. THOMPSON of Mississippi, Mr. WEINER, Ms. KILPATRICK of Michigan, Ms. WOOLSEY, Mr. WU, and Mr. GENE GREEN of Texas.

H. Res. 727: Mr. BACA, Mr. WOLF, Mr. MCGOVERN, Mr. CONNOLLY of Virginia, Mr. MCCAUL, Mr. GARRETT of New Jersey, Mr. ABERCROMBIE, Mr. MCCLINTOCK, Mr. MORAN of Virginia, Mr. MASSA, Mrs. DAHLKEMPER, Mr. HOLT, and Mr. KENNEDY.

H. Res. 730: Mr. THOMPSON of California, Mr. MURPHY of Connecticut, Ms. SCHWARTZ, and Mr. SENSENBRENNER.

H. Res. 731: Ms. LORETTA SANCHEZ of California, Mr. PASCRELL, Ms. NORTON, Mr. MASSA, Mr. CAO, Mr. DANIEL E. LUNGREN of California, Ms. RICHARDSON, Mrs. MILLER of Michigan, Ms. JACKSON-LEE of Texas, Mr. CLEAVER, Ms. KILROY, Ms. HARMAN, and Ms. TITUS.

H. Res. 739: Mr. BRADY of Texas and Mr. GOODLATTE.

H. Res. 740: Mr. LUETKEMEYER, Mr. BOREN, and Mr. FATTAH.

H. Res. 748: Mr. BILBRAY, Mr. JOHNSON of Georgia, Mr. COBLE, Mr. PETERSON, and Mr. DUNCAN.

H. Res. 749: Mr. BOOZMAN and Mrs. MYRICK.

H. Res. 752: Mr. WILSON of Ohio, Mrs. MCCARTHY of New York, Mr. LIPINSKI, Mr. KIRK, Mr. BERMAN, Mr. DAVIS of Alabama, and Mr. MINNICK.

H. Res. 768: Mr. TONKO and Mr. GRIJALVA.

H. Res. 771: Mr. BACA, Mrs. LOWEY, and Ms. SLAUGHTER.

H. Res. 773: Mr. MASSA, Mr. BROWN of South Carolina, Mr. CULBERSON, and Mr. BERRY.

H. Res. 774: Mr. BUTTERFIELD, Mr. THOMPSON of Mississippi, Mr. CLYBURN, and Mr. COHEN.

H. Res. 775: Mr. COSTA and Mr. COHEN.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

70. The SPEAKER presented a petition of North Carolina State Council of the Junior Order United American Mechanics, relative to Resolution 8 urging the President and Congress to act in every possible manner to defend the freedoms that have been promised to us by the United States Constitution; which was referred to the Committee on Armed Services.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, SEPTEMBER 29, 2009 No. 138

Senate

The Senate met at 11:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who reads our hearts and knows our motives, You are the source of our being and the goal of our striving, hallowed be Your Name. Inspire our Senators to keep within the grasp of Your firm hands the threads of this day's words and deeds. May they seek Your will throughout this day and permit You to transfigure and redeem even their disappointments and setbacks. As they face perplexing issues of state, may the strength of each be as the strength of 10 because of pure motives. May all that our lawmakers do and are today be so obviously an expression of Your truth that they can be confident of receiving the smile of Your approval.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 29, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in morning business until 1:30 today. Senators are permitted to speak during that period of time for up to 10 minutes each. Following that morning business, the Senate will resume consideration of the Defense appropriations bill.

At 4:30 today, the Senate will turn to executive session to debate the nomination of Jeffrey Viken to be U.S. district judge for the District of South Dakota. At 5:30 today, we will vote on the confirmation of that nomination.

DEFENSE APPROPRIATIONS

Mr. REID. Madam President, this afternoon we will begin work on the Defense appropriations bill, as I announced. The bill provides $636 billion in new discretionary authority for the Department of Defense, including more than $128 billion in funding for overseas contingency operations.

This is a good bill. It provides funding to grow the Army by 22,000 soldiers, provides $108 billion for procurement of new equipment that our men and women in the military badly need as a result of the equipment having been damaged, destroyed, and worn out in Iraq and other places. It also provides for a modification of tactical vehicles to better protect our forces in battle.

In Nevada, there are significant contributions being made, as we speak, to the wars in Iraq and Afghanistan, with more than 700 Nevada Guard men and women in combat today. Because the desert terrain in Nevada is similar to that in Iraq and Afghanistan, many of our Nation's warriors prepare for their deployment in Nevada. The Naval Air Station in Fallon, in northern Nevada, is the home to the Navy's preeminent strike and air warfare center, which includes the Navy Fighter Weapons School, better known as Top Gun. Naval Air Station Fallon also houses the Strike Warfare Center and the Carrier Airborne Early Warning Weapons School.

If you are a Navy fighter pilot, the only training that allows you to have, in effect, a Ph.D. in flying the Navy's top fighter planes is going to Fallon. Hawthorne Ammunition Depot has been in existence since the late 1920s as a result of a huge explosion of an ammunition facility in New Jersey. Since the late 1920s, this base—in very arid, dry, north-central Nevada—serves as the staging area for conventional bombs, rockets, and ammunition, a role it has filled since World War II.

Creech Air Force Base, located about 35 miles north of Las Vegas, employs the combat-ready Unmanned Aircraft System or what we call the drones. It is known as the Joint Unmanned Aircraft System Center of Excellence. It is from that facility that the strikes take place in Iraq and Afghanistan; that is where the people on the ground actually do the work that allows these vehicles to do their damage, wherever they are designated to go.

Finally, Nellis Air Force Base, outside Las Vegas, home of the first dedicated air warfare and later air-ground training facility, continues to provide advanced air combat training for U.S. and allied forces. This is the home of the Thunderbirds.

The fiscal year ends tomorrow. We need to pass this Defense bill to ensure

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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these men and women in uniform—our soldiers, marines, sailors, air men and women—have every resource they need to successfully carry out their mission. Whether stationed in Nevada or on one of our many bases around the world, all America's troops are depending on us to do something and do it quickly.

The managers of this bill, Senators INOUYE and COCHRAN, were here last Thursday and Friday. They are back this afternoon, ready to complete action on this legislation. This is an extremely important piece of legislation. The Senate needs to act on it very quickly so we can get to conference and minimize the time the Department of Defense has to operate on a stop-gap continuing resolution.

I hope people who have amendments to offer will offer them. We have already had 2 days to offer amendments. We have two of the most experienced managers in the Senate with Senators INOUYE and COCHRAN. I hope people would offer their amendments because we are not going to be on this bill all week. We are going to get off this as soon as we can.

RECOGNITION OF THE REPUBLICAN LEADER.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

DEFENSE APPROPRIATIONS

Mr. MCCONNELL. Madam President, this afternoon we resume consideration of the Defense appropriations bill, and among our most immediate concerns are the protection of our troops and allies in Afghanistan and the success of our mission there.

The President's pick to lead our efforts in Afghanistan, GEN Stanley McChrystal, has made clear that more forces are necessary to accomplish the mission. And while the administration has not yet reacted to General McChrystal's report, in my view, the President must soon explain to the American people his reasons either for accepting The McChrystal Plan or for taking a different course.

Timing is important. A failure to act decisively in response to General McChrystal's strategy, and his anticipated request for additional forces, could serve to undermine some of the good decisions the President has made on national security.

That said, no President decides to commit troops lightly; all such decisions have far-reaching consequences. And that is why General McChrystal and General Petraeus should also come to Washington to explain to Congress and to the American people how their strategy will work. A counter-insurgency strategy will require a significant investment in time, troops, and resources. We need an explanation from our generals why that investment is needed.

The recent disruption of an alleged al-Qaida plot against America was a reminder to all of us of the seriousness and urgency of our efforts in Afghanistan. There should be no doubt that al-Qaida remains a serious threat. We cannot allow al-Qaida to establish a safe haven in the very place where it plotted and planned the 9/11 attacks.

The Taliban is gaining ground in Afghanistan. And our commanders in the field are in the best position to tell us what is required to complete their mission. General McChrystal says that without adequate resources, we will likely fail. In my view, we should listen to his advice. And hopefully, we will be able to get that advice in person in a timely manner.

I yield the floor. 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. AKAKA. Madam 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.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 1:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. AKAKA. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TROPICAL STORM KETSANA

Mr. AKAKA. Madam President, I rise today to stand in unity with our friends in the Philippines, China, and Vietnam, who are recovering from a terrible natural disaster.

Tropical Storm Ketsana struck the Philippines Saturday near Manila, causing massive flooding across the island nation. According to news reports, more than 80 percent of the capital city was submerged by the floods. Footage shows people being swept away by raging torrents, stranded on rooftops without supplies, or wading through waist-high flood water. According to the Associated Press, at least 284 people in the Philippines are confirmed dead, and nearly half a million people have lost their homes. As I speak, rescuers are searching for any remaining survivors. Family members are mourning lost loved ones. Millions of Filipinos across the country are struggling to find clean water, food, medicine, and shelter.

I commend the U.S. Embassy in Manila for pledging financial aid to help the Philippine government get life-saving necessities to people living in emergency shelters.

I am proud and honored by the work of members of the United States Armed Services. based in the Philippines. Their important mission is to provide counterterrorism training, but in the face of disaster, our troops have heroically conducted a number of life-saving rescues. Now they are helping to distribute supplies.

I also thank UNICEF for its large pledge of financial support.

In Hawaii, a number of organizations have stepped up to help. The Filipino Community Center, the United Filipino Council of Hawaii, and the Philippine Consulate General of Honolulu are among the organizations raising funds. I am encouraged by all those offering assistance in Hawaii and across the Nation.

Unfortunately, Ketsana's path of destruction was not finished at the Philippines. The storm picked up strength over the South China Sea, brushed against the coast of China's Hainan Island, and at full typhoon strength today slammed directly into Vietnam, where at least 23 people have been confirmed dead.

Laos, Cambodia, and Thailand are now bracing for heavy rains as the storm moves inland.

In the United States, we are no strangers to the horrors of tropical cyclones. We all remember the tragedy of Hurricane Katrina. It hit the gulf coast more than 4 years ago, but many areas are still recovering. In Hawaii, we will never forget Hurricane Iniki, which struck the island of Kauai in 1992, killing six people, destroying homes, hotels, and businesses, and leaving residents in some areas without electricity for months. It took parts of Kauai more than a decade to recover, and some historic buildings have never been rebuilt.

The United States stands with our friends in the Philippines, China, and Vietnam as they work to help the survivors. I want to thank everyone who has pitched in to help our friends recover from this terrible disaster.

I yield the floor, and 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. CARDIN. Madam 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.

ENERGY SECURITY THROUGH TRANSPARENCY ACT OF 2009

Mr. CARDIN. Madam President, I take this time to bring to the attention of my colleagues legislation that has been introduced by Senator LUGAR,

the Energy Security Through Transparency Act of 2009. I have joined Senator LUGAR as a cosponsor, as have Senator SCHUMER, Senator WICKER, and Senator FEINGOLD.

Let me first tell you the problem this legislation is attempting to deal with; that is, there are these mineral-wealthy countries, countries that have oil, countries that have gas, countries that have valuable resources and minerals, and sometimes it is called a curse because in many of these countries there is horrible poverty, there are conflicts, open war, and very poor governance. The reason, in most cases, is corruption.

Quite frankly, there are individuals and groups and sometimes leaders within these poor nations that have wealthy resources who make their own individual deals with companies that extract these minerals and use them for their own purpose rather than sharing it, as they should, or using it, as they should, for the people of the nation in which these resources are located.

This is happening in so many countries in the world. It is in the interest of the United States to change the way these nations deal with their resources, their wealth. It is in our interest for many reasons. There are American businesses that would like to do business in these countries. They would like to help the economy of America by having business relationships with countries that have oil and gas and countries that have other mineral wealth. The problem is, they cannot do that because they cannot participate in corruption. It is against our laws for American companies to be coconspirators in corruption in another country, as it should be against our laws. It is also not very stable for them to do business in a country that is corrupt, that does not have the rule of law, that does not have the protections necessary to make sure their business relationships will be honored.

So for all those reasons, it is important for us to clean up the way these nations deal with their mineral wealth. It is also in our interests as far as energy security. I hope we will get into this debate in this Congress on the floor of this body: how we can become energy secure in America. But part of that is having a much more open relationship with those countries that have mineral wealth so we know the arrangements, so we know how the gas and oil and other minerals are entering into the international marketplace, so we can have an open policy in America to deal with our energy. It is important for this country, as I pointed out, for our economics, it is important for our national security to get this done. I might add, it is also going to be important for our environment, and we are going to have that debate, I hope, later this year in this body.

The international community has understood this. As a result of recognizing this problem, the international community came together with the Extractive Industries Transparency Initiative, known as EITI. I mention this because this international effort is to try to bring transparency in what a company pays for mineral rights in a country. So if you are a company, and you are paying a royalty to a nation for extracting its minerals, you need to disclose that so the citizens of that country have the basic critical information necessary to effectively monitor government stewardship of their natural resources.

That is basically what the EITI initiative is. It is all about transparency so companies and governance can be held accountable. I would think we all agree on that. I am proud of the role the United States Helsinki Commission has played on this issue. I have had the honor of chairing that Commission, and we have made the EITI initiative a major priority of our Commission's work because we know if we can get the mineral wealth to the people of that nation, so many of the issues we are charged to deal with on human rights, on the environment, on the economy, and on security can be dealt with, if we could just get that mineral wealth to the people of that nation. That is the reason why the Commission has had a very high priority in getting more participation by countries around the world in the Extractive Industries Transparency Initiative.

That brings me to the Energy Security Through Transparency Act of 2009 that Senator LUGAR has introduced and on which I have joined him as a cosponsor. It would suggest that the United States should be an implementing country of the EITI, that we should subject ourselves to those provisions, that we should lead by example by showing the United States of America believes there should be transparency in all the contracts we enter into resulting in extraction of mineral wealth from America. That would require the proper disclosure of payments from companies that use public lands for mineral extractions. That is the right thing to do. We should have been doing this all along. The public should know what is being paid by companies to take their wealth. This is Americans' wealth. It does not belong to any one of us. There should be transparency in it. It is the right thing to do.

Another part of this legislation would require companies that are listed on the U.S. Stock Exchange that are regulated by the Securities and Exchange Commission to disclose their payments to other countries for extraction of mineral wealth. In other words, we use the leverage of participating in the U.S. Stock Exchange—to be a listed security that Americans invest in—they have the right to know what that company is paying to other countries to extract mineral wealth. That at least gives us part of the disclosure necessary to find out what a country, which is so poor in the way it treats its people, is doing with the moneys that are being paid for the extraction of their national wealth. That would go a long way to helping us get transparency.

This legislation would urge the President to work with our partners in the G8 and G20 to promote similar efforts by the industrial nations of the world so we can get more credibility on the EITI, where passage of the EITI, joining the EITI becomes a matter of respectability for a nation internationally to make sure the contracts that are entered into with that government are shown to the people of that nation.

The bottom line is, the Energy Security Through Transparency Act of 2009 is asking the United States to take a leadership position in fighting corruption. Unfortunately, in too many of the developing countries of the world there is corruption. You have to deal with that corruption if you are going to be able to develop the type of relationships where that nation can deal with the poverty of its own people and work with us on our international priorities.

It helps developing countries. We give significant resources to date for humanitarian efforts in these nations. These nations should use their own wealth. This is a humanitarian issue. This is a human rights issue. It also provides economic opportunities for the people of that nation as well as the international community so they can participate in an open way to help that nation solve its economic problems.

It helps us with energy security globally. We cannot afford to waste the world's resources, as we look internationally at problems of energy security and global climate change. And it certainly helps in removing conflicts in many parts of the world. It is in our national security interests to make the world safer because it is usually the United States that is called upon first to deal with these conflicts.

For all these reasons, I urge my colleagues to take a look at the Energy Security Through Transparency Act of 2009, and to join us in moving this legislation forward because I believe it does present great hope for America to lead the world in helping these nations take advantage of their wealth in furthering U.S. international goals.

With that, Madam President, I yield the floor and 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. DORGAN. Madam 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.

Mr. DORGAN. Madam President, I ask unanimous consent to speak in morning business for such time as I may consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MAJOR REFORMS FOR AMERICA

PRESCRIPTION DRUG PRICES

Mr. DORGAN. Madam President, today a news story had the title ''Leading Dem Plans to Blow Up Deal with Big PhRMA'':

A Senate Democratic leader is hoping to blow up the deal reached between the White House, drug makers and Senate Finance Committee Chairman Max Baucus by introducing an amendment on the floor to allow prescription drugs to be imported from Canada . . . et cetera.

There is a picture of me. I woke up this morning not thinking I was going to try to blow up anything. So I want to respond to this.

The question is, are those of us in this Chamber—a bipartisan group of 30 ranging from myself and Senator SNOWE as the lead sponsor, Senator STABENOW, Senator MCCAIN, and so many others who want to deal with this issue of fair pricing of prescription drugs—are we trying to blow something up? The answer is no. We have been trying for a long time in this Chamber to say we ought to have fair prescription drug pricing for the American people, and presently it is not fair.

This is a pill bottle that would contain Lipitor made by Pfizer. It is made in Ireland and then sent around the world. These two bottles are identical. One is red, one is blue, but had the same pill made by the same company put in the same bottle, this one shipped to Canada, this one shipped to the United States. This was $1.83 per tablet. That is what the Canadian consumers paid. Our consumers got to pay $4.48 per tablet. The same pill, same company, same bottle, different price—American consumers get to pay the higher price: $4.48 per pill compared to $1.83. It is not just Lipitor. That is the most popular cholesterol-lowering drug, widely taken. It is not just consumers of Lipitor, it is consumers—this happens to be Canada, but in here I could put France, Germany, Spain, Italy, and so on—it is that we are charged the highest prices in the world for brand-name drugs. Plavix is 73 percent higher than Canada. Boniva is 90 percent higher than Canada. Zocor is 103 percent higher than Canada. The list goes on—157 percent higher than they pay in Canada; 194 percent. It is just not fair.

One day, I sat on a hay bale at a little farm reception with a guy in his eighties. We sat there just talking. He said: My wife has been fighting breast cancer for 3 years. He said: For 3 years, we have driven to Canada to buy Tamoxifen, where she could buy it for 80 percent less than it cost her in North Dakota. That is the only way we could afford to pay for her drug to fight her breast cancer.

I am just saying that is not fair. So a group of us have been trying for a long time to pass legislation that allows the consumer freedom, the freedom to say: If this identical drug is being sold in Winnipeg, Canada, at a fraction of the price why can't our consumers in this country access that drug? Why don't they have the freedom to access that drug?

We have put out a piece of legislation that establishes much greater security for the safety of our drug supply with batch lots and pedigrees and everything that attaches to the security side, and then we say the American people can access the FDA-approved drugs in the countries that have the same chain of custody we have and that have the same kind of safety we have. Give the American people freedom. When they have that freedom to access those identical drugs at a lower price, sold at a fraction of the price in other parts of the world, then the pharmaceutical industry will be required to reprice those drugs in this country and give the American people fair pricing. That is just a fact.

I understand the White House negotiated with the pharmaceutical industry and came up with a plan by which the pharmaceutical industry over 10 years would fill part of what is called the doughnut hole. It is complicated to explain—the doughnut hole is a portion of the drug benefit in which the seniors have to pay their own drug costs. So I understand there was an agreement between the White House and the pharmaceutical industry to provide a discount to seniors in the donut hole, but nobody here was a part of that agreement.

The 30 or so of us who have been very strongly working to address this issue feel that when the health reform bill comes to the floor of the Senate, we intend to offer this amendment. If you don't deal with the increasing cost of prescription drugs when you try to put downward pressure on the cost of health care, in my judgment, you have failed. One of the fastest areas of cost increases has been prescription drugs. You are just going to leave that aside and say: Don't pay any attention to that; it doesn't matter. You can't do that. So we are trying to find a way to put some downward pressure on health care prices, and that must include putting some downward pressure on prescription drugs.

Let me be quick to point out that the pharmaceutical industry does important things. I don't wish them ill at all. I have done things that support them, including research and development tax credits and so on. But I am not interested in just waiting to allow them to continue to price their brand-name pharmaceutical drugs much higher to our consumers than they do to virtually every other consumer in the world. It is not fair.

When the health care reform bill comes to the floor of the Senate, I and my colleagues—Senator STABENOW, Senator MCCAIN, many others; a bipartisan group—intend to offer this bill as an amendment. It is not intended to blow up anything. We weren't a part of constructing anything; we are not going to blow up something. All we are going to do is demand that some common sense and basic fairness be established in the pricing of prescription drugs in this country. The way to do that is to give the American people the freedom to access this identical prescription drug in other areas where it is sold at a fraction of the price.

So, again, I wanted to disabuse anybody of the notion that we are going to blow up something. It is not true. I understand the pharmaceutical industry does not like what we are trying to do. They would like to have absolute pricing capability to price our drugs, in the case of Lipitor, at $4.50 a tablet when they sell it to others for less than half of that. I understand they would like that opportunity. On behalf of the American citizen, I say it is not fair. It is wrong, and it ought to change. If we pass the legislation we have introduced—a broad bipartisan group here in the Senate—it will give the American people freedom and force, in my judgment, a repricing toward fair prices for prescription drugs in our country.

Again, I wanted to make the point that we are not trying to blow up anything; we are trying to fix something that is wrong, and we are going to try to do that when the health care reform bill comes to the floor of the Senate.

We have been guaranteed an opportunity. Senator MCCAIN and Senator SNOWE and I intended to offer this earlier in the year, and as a result of that, the majority leader said: Don't offer it here, but I will make certain you have the opportunity on the floor of the Senate. That is why we will be in line right toward the front end of the health care reform bill to offer the amendment and have a debate.

FINANCIAL INDUSTRY REFORM

If I might, for a couple of minutes on another subject, say that I have spoken often about an issue on the floor of the Senate that goes back some decade or so on the matter of financial reform. I am not going to revisit all of that, which happened 10 years ago, but I do want to say this: I happen to think one of the first items of business this year should have been financial reform. I know others disagreed. I know the President wanted to do health care and some other items first. But I know the President and his team are working very hard now on financial reform. It is very important to get this right.

I wish to make a point. I have been reading recently about what is happening, and I would like to demonstrate what is happening.

Last fall, a whole series of things steered this economy into the ditch, the deepest economic downturn since the Great Depression.

So now, September 12, 2009, The New York Times, ''A Year Later, Little Change on Wall Street'':

One year after the collapse of Lehman Brothers, the surprise is not how much has changed in the financial industry, but how little. Not much change on Wall Street.

September 15, the Washington Post, ''The Wall Street Casino, Back in Business.'' Think of that. A year after the

almost unbelievable, deepest recession since the Great Depression, 1 year later, ''The Wall Street Casino, Back in Business.''

What are they talking about? Credit default swaps, derivatives, synthetic derivatives, you name it, all kinds of exotic products where they securitized everything. Everybody made a bunch of money, and on the way back from depositing money in their bank accounts one day, they discovered the economy collapsed because a lot of bad decisions had been made by people who were gambling.

September 8, the Washington Post, ''A Year After Lehman, Wall Street's Acting Like Wall Street Again.'' Not much change.

Wall Street Journal, August, last month, ''Bankers Play Dress Up With Old Deals'':

> Irresponsible securitization helped bring the financial system to its knees. Yet, as banks start to heal, little seems to have changed. Wall Street has quickly fallen back on old habits.

By the way, some of these FDIC-insured banks are still trading in derivatives out of their own proprietary account. They may just as well put a casino in their lobby or be playing Keno in their boardroom.

This is Steve Pearlstein, September 11: ''Wall Street's Mania for Short-Term Results Hurts Economy.''

Look, the reason I wanted to go through this is I agree not much has changed, and certainly not enough has changed. The question, it seems to me, as we deal with this issue of financial reform is, Will we address a central issue for me, and that is the too-big-to-fail issue? When we have decided as a matter of economic doctrine in this country that there are big companies that are too big to fail—too big to fail—to me, that is no-fault capitalism. We saw that last fall.

We had the Treasury Secretary come to the Congress, and he said, on a Friday: If you don't pass a three-page bill giving me $700 billion and do it in 3 days, there is eminent collapse of the American economy. The fact is, I didn't vote for the $700 billion because I didn't think he had the foggiest idea what he was going to do with that money.

The plain fact is as well that the very firms that did the kind of damage that steered this economy into the ditch—by the way, one of which the then-Treasury Secretary had previously worked for—dramatically expanding leverage; engaging in unbelievable, sophisticated exotic products they couldn't even understand. But you didn't have to understand them as long as you were making a lot of money on them; securitizing almost everything; the scandal in subprime loans; paying massive bonuses to brokers who put mortgages out there called liar's loans, meaning people didn't have to describe their income in order to get a mortgage; and then securitizing the good with the bad and slicing and dicing as if you were cutting sausage and selling it to investment funds. So everybody was fat and happy, making all this money despite the fact they were creating this house of cards. And then the house of cards collapsed, and we had all of these firms with dramatic leverage and exposure. Then we were told: You know what, you have to bail them out. They are too big to fail. The American taxpayer has to come out and open their pocketbook and provide the funds because these companies are too big to fail.

The fact is, when we discuss financial reform, there is too little discussion about this right now. All the discussion we see are these stories: ''Wall Street is Back in Business Again''; ''Banks Still Trading in Derivatives on Proprietary Accounts.'' They might as well just put up a blackjack table in their lobby. Nothing is changing.

So the question is, when we get to this point—and it is very soon, I hope—will we seriously address the doctrine of too big to fail. If we don't, we will go down exactly the same road and, mark my words, we will find the same ditch once again for this economy. We must address this issue of too big to fail. Some of the too-big-to-fail institutions got a lot of TARP funds from the American taxpayer. And by the way, they have gotten bigger now—too big to fail, and now they are too bigger to fail, I guess. It doesn't sound like good English to me. But too big to fail is a problem, so you make them bigger. It makes no sense.

This has to be a centerpiece in our discussion going forward. Are we going to continue to have no-fault capitalism where some of the biggest financial institutions in this country are engaged in gambling, trading in derivatives on their own financial accounts in a bank, while the bank is FDIC insured? Are we going to continue to allow that, or are we finally going to decide that this doctrine of too big to fail has to be addressed along with the other issues? Are we going to securitize everything? Are we going to continue to allow this unbelievable expansion of leverage? All of these are important questions.

At the end of the day, to me, the question of the doctrine of too big to fail is overriding. We must end that proposition. It is not just me, there are a lot of good economists who believe this must be a part of our financial reform.

My hope is that in the coming month or so following the discussion on health care reform, we turn to financial reform. I am going to be on the floor talking again about the doctrine of too big to fail and about the Federal Reserve Board's notion of what that doctrine means and what their responsibilities are.

I yield the floor, and I make a point of order that a quorum is not present.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam 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.

Mr. ALEXANDER. How much time remains on the Republican side?

The ACTING PRESIDENT pro tempore. The time is not divided.

Mr. ALEXANDER. Madam President, I ask unanimous consent that we be permitted to engage in a colloquy for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. ALEXANDER. Madam President, all of us were home in August. It was a pretty good thing we were, because the people of the United States had a lot to say to us about the health care bill. I think President Obama was very correct when he said the health care reform bill is a proxy for the role of Federal Government in our everyday lives.

I think that is what we are debating here. On the one side, we have an effort by the majority and the President to do this massive, comprehensive health care reform with thousand-page bills and White House czars and trillions in spending and debt. That is on the one side. On the other side we have Republicans saying we want health care reform, but let's focus on reducing costs to each American who has a health care policy—that is 250 million of us—that is why people are showing up at town meetings; it is not some abstract thing—and reducing costs to our government, because we know that $9 trillion more in debt is coming.

Mr. McCAIN. Will the Senator yield for a question?

Mr. ALEXANDER. Yes, I will.

Mr. McCAIN. First, concerning the costs, how do we know what the cost is if we don't have legislative text? I think all of us have been around here long enough—we have talked a lot about the 72 hours that I absolutely think we need. The text should be online so that every American—not just the 100 of us who are fortunate enough to be here—can read it. Everybody should have the right to know what a fundamental reform of health care in America is all about, and they should be able to read the legislation if they want to.

Just as importantly, I ask my friend, has he seen any legislative text anywhere? Is it true that the Finance Committee is moving forward with legislation regarding which there is no legislative text? And by the way, we find out now, according to the Wall Street Journal, Mr. Barthold noted in a followup letter that the willful failure to file; that is, to take the government option, would be punishable by a $25,000 fine or jail time under a section of the bill.

I wonder how many Americans are aware of that. In fact, I have to tell my

friend from Tennessee, I was unaware of it. So if we are unaware of it, should we not have legislative text so that Americans know what is being legislated in the Senate Finance Committee; and second, shouldn't it be on line at least 72 years so everybody would know about it?

Mr. ALEXANDER. The Senator is right. He and I and the Senator from Georgia are on the HELP Committee. We worked and we spent many hours in June and July marking up that version of the health care bill. We finished our work about July 15. That bill was 839 pages. It wasn't even presented to us until early in September, and we still don't know what it costs. I wonder if the Senator from Georgia heard much about reading the bill and how much it costs.

Mr. ISAKSON. The Senator from Arizona and the Senator from Georgia and I all sat through 67½ hours of markup in the HELP Committee on an 839-page bill, which was not scored and had 3 titles blank and they are still blank. We didn't have text during that debate on three titles within that bill, and what they are developing in the Finance Committee today, as I understand it, is concepts. The language is somewhere that we have not yet seen. This is too important for us to guess on and to take a chance on. It is most important that Congress know precisely what it is doing.

Mr. ALEXANDER. Maybe the Senator from Georgia and the Senator from Arizona know more about this than I do, and they are debating concepts but they are getting down to specifics. I saw in a morning newspaper that Nevada was somehow miraculously taken care of in the provisions for Medicaid expenses. We have had Governors, both Democrats and Republicans, here saying if you are going to expand on Medicaid in our State, pay for it. What happened in Nevada?

Mr. MCCAIN. I say to my friend from Tennessee, first, it is clear that the Medicaid cost increases to the States will be incredibly large. In the original version of the bill, according to media reports, the State of Nevada would have, along with every other State, a significant Medicaid expense. So somehow now the legislation has been changed, again, according to media because—excuse me, the concept has been changed because we don't have legislative language—that 4 States would then have 100 percent of their Medicaid costs assumed by the Federal Government for as long as 4 or 5 years. That is what goes on with the laws and sausages business here. I ask the Senator again, do you—first, I ask unanimous consent that the editorial entitled ''Rhetorical Tax Evasion'' in the Wall Street Journal this morning be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 29, 2009]

RHETORICAL TAX EVASION

President Obama's effort to deny that his mandate to buy insurance is a tax has taken another thumping, this time from fellow Democrats in the Senate Finance Committee.

Chairman Max Baucus's bill includes the so-called individual mandate, along with what he calls a $1,900 ''excise tax'' if you don't buy health insurance. (It had been as much as $3,800 but Democrats reduced the amount last week to minimize the political sticker shock.) And, lo, it turns out that if you don't pay that tax, the IRS could punish you with a $25,000 fine or up to a year in jail, or both.

Under questioning last week, Tom Barthold, the chief of staff of the Joint Committee on Taxation, admitted that the individual mandate would become a part of the Internal Revenue Code and that failing to comply ''could be criminal, yes, if it were considered an attempt to defraud.'' Mr. Barthold noted in a follow-up letter that the willful failure to file would be a simple misdemeanor, punishable by the $25,000 fine or jail time under Section 7203.

So failure to pay the mandate would be enforced like tax evasion, but Mr. Obama still claims it isn't a tax. ''You can't just make up that language and decide that that's called a tax increase,'' Mr. Obama insisted last week to ABC interviewer George Stephanopoulos. Accusing critics of dishonesty is becoming this President's default argument, but is Mr. Barthold also part of the plot?

In the 1994 health-care debate, the Congressional Budget Office called the individual mandate ''an unprecedented form of federal action.'' This is because ''The government has never required people to buy any good or service as a condition of lawful residence in the United States.''

This coercion will be even more onerous today because everyone will be forced to buy insurance that the new taxes and regulations of ObamaCare will make far more expensive. Too bad Mr. Obama's rhetorical tax evasion can't be punished by the IRS.

Mr. MCCAIN. This says:

Chairman Max Baucus's bill includes the so-called individual mandate, along with what he calls a $1,900 ''excise tax'' if you don't buy health insurance. (It had been as much as $3,800. . . .)

So American small businesses, which are hurting more than any other group of Americans today, the creators of jobs—are now facing a $1,900 excise tax. By the way, the President, in response to George Stephanopolos, said there was no tax engaged here. I wonder how many Americans are aware of that and how many Americans have had the opportunity to know exactly not only what the costs to the Federal Government and the respective States are, but the costs to the individuals who are struggling to make it in America at a time of almost unprecedented unemployment?

Mr. ALEXANDER. That is a very good point. The Senator from Georgia was in small business for many years before he came to the senate.

Mr. ISAKSON. Yes, I ran a small real estate company for 22 years. We tried—myself and other distinguished Senators—on the floor to pass small business health reform 3 years ago which would have made more affordable and accessible health care to those independent contractors, the small business people. It was rejected and we could not get a cloture vote.

Mr. ALEXANDER. May I interrupt for a moment? I often hear it said that you Republicans are not for health care too much. The difference is we have a little more humility than to try to take on the whole health care system at once and fix the whole world. We are ready to go step by step, and that is one of the most important steps—to allow small businesses to pool their resources and offer health care to their employees. I think the estimate is it would add maybe a million new people who could be insured that way.

Mr. ISAKSON. Under outside estimates—not mine—of the 47 million alleged uninsured, up to 16 million would have access to insurance because of associated health plans and small business reform. That is a third of the uninsured.

Mr. MCCAIN. My friend from Tennessee brings up a good and an important point about some saying that Republicans have no plan. The fact is that the Republicans have no plan for the government to take over the health care system in America. That is what it is. What are we for? We are for going across State lines so that these small businesses and individuals—and the Senator from Georgia used to be one of them—can get the health insurance policy of their choice. Why should they be restricted to the State they are in when perhaps there are minimum requirements for those health insurers residing in that State for coverage, which they neither want or need, and it may be in another State. Why don't we allow small business people to pool their assets together and negotiate with health insurers across America for the best policy they can get? And we are for medical malpractice reform and medical liability reform. We know doctors prescribe time after time, to protect themselves, unneeded and unnecessary procedures and tests. We all know that. That is in tens if not hundreds of billions of dollars. We are for medical malpractice reform. Where is it in any bill that has been proposed by the other side?

We want outcome-based treatment. We want an individual who has a certain chronic disease to be treated on the basis of long term. We want Americans who have preexisting conditions to have a risk pool they can go to or where risk pools would be established so they can get health insurance, and insurers will bid on those people with so-called preexisting conditions, so that every American can have affordable and available health insurance. We are for that. We are for medical malpractice reform. We are for going across State lines to get a policy of your choice. We are for outcome-based care. We are for taking on the drug companies that have cut an unholy deal with the administration, which

will give them the obscene profits, and the lobbyists, who make over a million dollars. We want to be able to import drugs from Canada that are cheaper for the American people. We want competition, as there is in Medicare Part D, for these patients who need it, who don't have health insurance.

So we are for a number of things, but we are not for a government takeover of the health care system. So the next time we read that the Republican party does not have anything they are for, then they are not paying attention. There is more that we are for, but it has to do with competition and with availability and with affordability of health care in America, not a government takeover. We have seen that movie before in other countries.

Mr. ALEXANDER. As I listen to the Senator, I wonder if the Senator from Georgia is having the same impact. Every single step he said Republicans are for, whether it is getting rid of runaway junk lawsuits, going across State lines to buy insurance, whether it is allowing small businesses to pool resources, or incentivizing prevention and wellness, they are all focused on reducing costs.

I ask the Senator from Georgia, I thought this was supposed to be about reducing costs for health care premiums and costs to our government; but it seems to me we are talking about more billions and more debt and more spending and taxes.

Mr. ISAKSON. Those are the two things Republicans don't want, which is more debt to bankrupt our children and grandchildren and more taxes. Robert from Loganville was on my teletown hall meeting a week ago in Georgia. We were talking about the pay-fors. He said, ''Senator, I want to ask you a question. The administration keeps talking about there being a half billion dollars of waste, fraud, and abuse in Medicare. If that's true, why haven't you saved it instead of using it to save against a national health care?''

That is precisely right. The pay-fors they are talking about to keep us from going into debt are moneys that may or may not be there. They involve taxation and raising taxes on small businesses. Those are the things we don't want to do as Republicans.

Mr. McCAIN. I ask the Senator from Georgia, do you believe, one, that small business people in America today are ready for an additional cost laid on them to provide health insurance for themselves and their employees? Should we not make it easier and less costly, rather than imposing a government mandate, which may have types of health care that they neither want nor need, or paying an ''excise tax,'' as is in Chairman BAUCUS's bill?

The second point I want to ask the Senator about, of course, is this whole issue of what should be the government's role in health care in America today. We freely admit—not only admit but appreciate the fact that Medicare is a government program. But we also appreciate that the costs of Medicare have skyrocketed to the point where we now have, by estimates, a $31 trillion unfunded liability. In other words, our kids and grandkids will not have Medicare 7 or 8 years from now unless we fix the issue of costs.

Mr. ISAKSON. The Senator is precisely right, because as of right now, Medicare goes broke in 2017. That is only 8 years from now. In this bill, part of the pay-fors is to raise the cost of Medicaid on the States to a level that would take Georgia's Medicaid payments in 2014 by State tax dollars to be from 12 percent to 20 percent of our State budget. That is not the way to run a railroad.

Mr. ALEXANDER. Going back to the point of the Senator from Arizona, I hear our friends on the other side say you have used scare tactics, saying there will be Medicare cuts. I ask the Senator, did I not hear the President say he was going to take a half trillion dollars out of Medicare for seniors? There are about 45 million seniors on Medicare and who depend on Medicare, and they will spend it on new programs. Is that not what I heard him say?

Mr. McCAIN. That is why there is a rising sentiment, particularly among seniors, against this plan, the one passed through the House and passed through our HELP Committee and is now being formulated. Our seniors and our citizens are a lot smarter than many times we give them credit for. They know you are not going to get $½ trillion in ''savings'' from Medicare without there being reductions in Medicare.

There are hundreds of billions of dollars of savings that can be enacted in Medicare, but why don't we start tomorrow or why didn't we start yesterday or why didn't we start at least at the beginning of this debate imposing those savings so we could have a delay in the year when Medicare goes broke?

Mr. ALEXANDER. May I ask the Senator, if there are savings in Medicare, shouldn't it be spent on Medicare?

Mr. ISAKSON. Absolutely.

Mr. McCAIN. That is an excellent point. But also the fact is to root out this waste, fraud, and abuse is going to take time and effort and it is going to require some pretty hard work on our part. But we need to change some of the fundamentals of the Medicare system in providing more competition in the form of prescription drugs, in the form of medical malpractice liability reform, in the form of more competition between drug companies for Medicare and Medicaid patients. These reforms we are advocating have to be enacted in order to bring down the costs of Medicare, Medicaid, and overall health care costs in America.

Look, it is obvious. The cost escalations that are bringing Medicare to a crisis are the same cost escalations everybody else in America is experiencing.

Mr. ISAKSON. A lot of them are based in defensive medicine, which is practiced because of runaway lawsuits and verdicts. The administration's most recent comment about tort reform, to which the Senator from Arizona referred, was they want to do a study. A study is not what we need. What we need is action. That is one of the biggest contributors to the rising cost of health care we have.

Mr. McCAIN. Or a demonstration project conducted by the Secretary of Health and Human Services who knows a lot about this, I admit, because I understand she was head of the Trial Lawyers Association for a number of years. I am sure that gives significant qualifications to the person who is tasked with this project.

Life is full of anecdotes and experiences we have. I was down in Miami at the Palmetto Hospital. I spoke to a surgeon there. By the way, they treat a very large number of people who have come to this country illegally. I asked the surgeon: How are you doing on making your insurance payments, your malpractice or medical liability insurance payments?

He said: I don't have a problem. I don't have it. I don't have it because I couldn't afford it and probably I am not going to get sued because if they sue me, they are only going to get everything I have, not what the insurance company has.

We are giving physicians and caregivers the untenable option of either paying skyrocketing malpractice insurance premiums—in some cases $200,000 a year for a neurosurgeon—or as this surgeon did and others have done: I am not going to have insurance. That is not an acceptable thing to do to physicians in America or anybody in America.

Mr. ISAKSON. The other consequence of that is the threat of it, and the cost of becoming a physician is driving young people to go into other professions. We are going to have a shortage of providers, not just in physicians but nurses and caregivers, if we have an overly regulatory system and an indefensible tort system.

Mr. ALEXANDER. The Senators from Arizona and Georgia have raised a number of questions that need to be answered. How much is the expansion of Medicaid going to cost States in State taxes? How much of the Medicare costs are going to cost people on Medicare? Are individual premiums actually going up instead of down, which is what the Congressional Budget Office said. Why is there not something for getting rid of junk lawsuits in the bill? Why don't we have a small business health insurance pool?

The point we made when we first started is if we are taking on 17 or 18 percent of the whole economy in another one of these 1,000-page-plus bills, why then do the Democratic Senators vote down the amendment to say that

the bill needs to be online for 72 hours so we and the American people can read it? Shouldn't we read the bill we are voting on, and shouldn't we know how much it costs before we start voting on it?

Mr. MCCAIN. The Senator is exactly right. Again, wouldn't it be nice for our constituents—by the way, many of them come to the townhall meetings with a sign that says ''Have you read the bill?''—to let them read the bill too. Wouldn't it be nice if every American citizen who wanted to could go online and read the legislation and give us their ideas and thoughts as to how we could make it better?

May I mention—I hate to keep coming back to this issue of medical liability—a PricewaterhouseCoopers study says defensive medicine could cost us as much as $200 billion annually. If we are interested in savings, why don't we go right at that? Do we need a demonstration project someplace around America? I don't.

May I mention one other point, and I would be interested in my colleagues' views on it. This proposal also levies new taxes on medical devices. Why in the world would we want to do that? Medical devices and the best technology in the world are developed in America, but they are very expensive as they are. Why would we want to levy new taxes on medical devices when we know very well that if the insurance company is paying for them, the insurance company passes on those increased costs to the insured, thereby increasing the cost of health insurance in America. Why would we want to do that?

Mr. ISAKSON. It is raising the cost to the consumer because a lot of those types of things that are being taxed are purchased discretionarily and are not covered. They are paid for out of the pocket of the consumer. When you tax the medical device, you are just raising the cost of the medical device to the consumer.

Mr. MCCAIN. What the other side is trying to do is expand government, expand coverage, and yet, at the same time, reduce costs. You cannot square the circle. That is why they keep bumping into—every time there is a new proposal and to make things more expansive and more available, they run into escalations in costs and how we are going to pay for it.

I believe our constituents, again, have figured it out—a reestimate of a $7 trillion to $9 trillion deficit over 10 years, a some $700 billion stimulus package that may have stimulated Wall Street but, frankly, in my view from being home a lot, has not stimulated Main Street and is not having an effect on unemployment in America, to say the least. The neighboring State of California now has 12.2 percent unemployment. They cannot get to where they want to go without increasing that deficit and debt burden that we are laying on future generations of Americans.

I wish they would sit down with us. I wish we could sit down together, start from the beginning, knowing what we know—we have all been well educated by this process—knowing what we know now, knowing what we can do to reduce health care costs in America and make it affordable and available. Unfortunately, as we watch the machinations going on in the Finance Committee, that has not happened yet.

Mr. ISAKSON. I completely concur with the Senator from Arizona and the Senator from Tennessee. There is common ground, but you have to be willing to find it. So far that has not been the case. When we get to that point, we can solve a lot of the American peoples' problems. Just ramming through something we cannot read, we cannot quantify, we cannot score is not the way to go about it.

Mr. ALEXANDER. If there is one point we would want to make, it is this. It is such an ambitious program. The stakes are so high. This is no abstract debate. The reason people are turning up at town meetings is because this is about their health care insurance and also whether your government is going to go broke in the next few years, dumping a lot of burdens on our children and grandchildren.

What we are saying is we need to read the bill and know how much it costs before we start voting on it. We need to read the bill. It needs to be online 72 hours. That is a modest request, it seems to me. That is a short period of time. Then we need to know how much it costs. Does it raise our premiums or lower them? Does it cut your Medicare, or does it not cut your Medicare? Does it increase the national debt, or does it not increase the national debt? We need to know the answers to those questions. It would be the height of irresponsibility for us to begin debating a bill that affects 17 percent of the economy at a time when our debt is going up so rapidly without having, one, read the bill and, two, knowing exactly what the nonpartisan Congressional Budget Office tells us every provision costs.

Mr. MCCAIN. Can I tell my friend, if the American people are able to know the details of this legislation, I think they would be surprised to know that the new taxes—the medical devices, the prescription drugs and other tax increases—they begin in the year 2010, 3 years before the provisions in the bill for ''reform'' are implemented. So for the next 3 years, the cost of health care and health insurance goes up due to the new taxes and fees, but the so-called reforms are not implemented—why did they do that?—so that the actual costs, as we cost it out over a 10-year period, are disguised by beginning the taxes and not implementing the reforms, which then the Congressional Budget Office can give a cost estimate which is less than, frankly, what it actually is if you put the reforms in at the same time as the tax increases.

That is a little complicated, but I think Americans need to know that.

Mr. ISAKSON. My only comment in closing is simply this: The Senator is exactly right. Once this horse is out of the barn, you can never put him back in. We have to get it right to begin with. We need to go back to the drawing board, have a bill we can read, and a bill we can afford.

Mr. ALEXANDER. I thank the Senator from Arizona and the Senator from Georgia. They said what we believe. We need to stop, start over, and get it right. Above all, we—it seems such a basic thing to say it is almost embarrassing to say it on the Senate floor—we need to make sure we read the bill before we vote on it, and we need to make sure we know what it costs before we vote on it. Those two things are minimum requirements.

From the Republican side, we want to reduce health care costs, and rather than try a comprehensive health care reform of the whole system, we would like to work step by step in the direction of reducing costs in order to regain the trust of the American people. Senator MCCAIN and Senator ISAKSON have outlined a series of steps ranging from eliminating junk lawsuits against doctors to allowing small businesses to pool their resources, all of which would help reduce costs. I thank the Senators.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WARNER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

DEFENSE APPROPRIATIONS

Mr. MCCAIN. I rise to address the issue of the Department of Defense Appropriations Act for fiscal year 2010, which is the pending business before the Senate.

The funding provided in this legislation is very crucial. We need to support our commanders as they lead operations in Afghanistan, Iraq, and elsewhere, and care for the men and women who are in the military, including making sure they are provided for, as well as our wounded warriors. But I also note with great concern and alarm, dismay, and even disgust that billions of dollars in wasteful earmarks, unrequested, unauthorized, have again found their way into this legislation. As I have said before, these are serious times, and we as a Congress are required to make serious decisions, tough decisions, that may go against the special interests.

I need not remind my colleagues that we are at war or that the national debt is growing ever larger. Recently, there was a reestimate of the deficit for the next 10 years from $7 trillion to $9 trillion. We are facing deficits of unprecedented proportions. Yet the spending

goes on here like, as some people have said, a drunken sailor. I do not use that phrase anymore because I never knew a sailor, either drunk or sober, with the imagination Members of Congress have, which is best epitomized in this bill, as I will point out in several provisions. We cannot afford the waste. We cannot afford it. It is our duty to fully support the funding for our national defense and ensure that each dollar we spend is spent wisely in delivery of the stated need and not on special interests.

The Appropriations Committee has provided $626 billion in total funding for the Department of Defense—$498 billion for the base budget and $128 billion for ongoing military operations in Iraq and Afghanistan. Interestingly, it is $3.9 billion less than the President's budget request, and the bill further reduces the Defense programs requested by the Pentagon to make room for $2.5 billion in C–17 cargo aircraft slated for termination by the administration and about $2.7 billion—I repeat, $2.7 billion—in earmarks and special interest items.

I have long talked about the broken appropriations process and the corruption it breeds. I remain deeply concerned over the damage done to our country and the institutions we are so proud to serve in by their continued abuse.

While we have made some progress on the issue in the last couple of years, we certainly have not gone nearly far enough. Legislation we passed in 2007 provided for greater disclosure of earmarks, and that was a good step forward. But the bottom line is, we simply do not need more disclosure of earmarks, we need to eliminate them. We need to eliminate them. We should adopt the practice that was the practice here for a long time, up until recent years, that we didn't appropriate unless it was authorized.

In the years that I have been here, I have seen a tremendous shift in the authority and responsibility from the authorizing committees to the appropriating committees and a commensurate rise in earmarks and corruption. I know my colleagues do not like to hear me use the word ''corruption,'' but we have former Members of Congress residing in Federal prison. We had a Congressman from California who used to list the appropriations he was able to get in one column and in the other column the amount of money he received for earmarking those appropriations. That is corruption.

It is not responsible for us to continue to load up appropriations bills with wasteful and unnecessary spending. Americans all over this country are hurting. People are losing their jobs, their savings, their homes. So what are we doing? We continue the disgraceful earmarking process, elevating parochialism and patronage politics over the true needs and welfare of this Nation. I will be pointing out during the course of this debate a number of examples of that corruption, which I think is really unacceptable to the American people. By the way, that is one of the reasons the American people have risen up in an unprecedented manner in demonstrations against the way we do business here in Washington.

So I want to be clear, disclosure is good. But it was not inadequate disclosure requirements which led Duke Cunningham to violate his oath of office and take $2.5 million in bribes in exchange for dolling out $70 to $80 million of taxpayers' funds to a defense contractor. It was his ability to freely earmark taxpayer funds without question.

A lot is said during campaigns. A lot of promises are made. Unfortunately, some are not kept. The President of the United States pledged during his campaign that he would work to eliminate earmarks. The Speaker of the House promised to ''drain the swamp.''

Just last month, the President of the United States spoke in Phoenix, AZ, to the Veterans of Foreign Wars. In that speech, the President's words were quite compelling about waste and porkbarrel spending in defense bills. In that speech, the President promised an end to ''special interests and their exotic projects,'' and he reaffirmed that he was leading the charge to kill off programs like the F–22, the second engine for the Joint Strike Fighter, and the outrageously expensive Presidential helicopter.

The President went on to say:

> If a project does not support our troops, we will not fund it. If a system does not perform well, we will terminate it. And if Congress sends me a bill loaded with that kind of waste, I will veto it.

If the President means those words, this legislation should be vetoed in its present form by the President of the United States.

He went on to say:

> We will do right by our troops and taxpayers.

He is right. We should do right by our troops and taxpayers.

The bill has at least $5.2 billion in programs the Pentagon does not need and did not ask for—$5.2 billion.

The President last month put on an all court press to terminate the F–22 program in the face of congressional determination to continue funding the production of the aircraft. So why was the President so adamant about terminating the F–22 while at the same time possibly giving a free ride to 10 unrequested C–17s in this bill at a cost of $2.5 billion? How can one differentiate between a fighter aircraft that the Pentagon says further production is unnecessary from a cargo aircraft that the Pentagon says the current fleet, coupled with those on order, is sufficient to meet the Pentagon's needs, even under the most stressing situations? Why has the administration, including the Secretary of Defense, been silent on $2.7 billion in Member-requested earmarks? These are questions for which I do not have a good answer.

What I do know is that the appropriators did not add $5.2 billion to the bill to pay for the unrequested additions but, rather, secured this additional funding by offsetting programs in other parts of the bill.

So what did the appropriators decide to cut to make room for most of these unrequested earmark and porkbarrel projects?

They reduced $900 million from the President's request for the Afghanistan Security Forces Fund at a time when the one thing we are in agreement on is that we need to increase the size of the capability of the Afghan Army and security forces. It is a key component of the U.S. strategy in Afghanistan. So they cut it by $900 million. Reducing funding in the account runs counter to our ground commanders' plan for the Afghan forces to assume a greater share of responsibility for security as quickly as possible.

Equally as incredible, the bill reduces over $3 billion in operations and maintenance accounts through direct cuts and cuts mandated in other provisions in the bill based on economic assumptions and excess cash balances.

The administration strongly opposes these cuts and in their Statement on Administration Policy said, ''These reductions would hurt force readiness and increase stress on the military people and equipment.''

This account is the lifeblood for our military. The operations and maintenance of our men and women in the military and the equipment they use is absolutely vital. So what did we do? We took $3 billion out of operations and maintenance and put it in those porkbarrel projects, including the C–17. The account provides for services with funds to carry out day-to-day activities such as recruitment and fielding of a trained and ready force, all military training and exercises, food, weapons, spare parts, equipment repairs, depot maintenance, ship overhauls, transportation services including aviation fuel, Navy and Marine Corps steaming days, civilian personnel management and pay, and childcare and family centers.

One thing in this debate about Afghanistan that almost everyone is in agreement on is that our equipment is wearing out and that we are way behind in the repair and replacement of spare parts, equipment—all that is necessary for our Active-Duty Forces and our Guard and Reserve, who are practically, for all practical purposes, Active Duty. And we are looking at—and I have guarded confidence that the President will agree to General McChrystal's and Petraeus' and Admiral Mullen's recommendation. We will need more money for operations and maintenance because we will be sending more men and women and equipment to Afghanistan. So what did they do? What is in this bill? A $3 billion reduction. Well, what is in its place? I will be going over some of the projects that are in its place.

One of the more egregious items in the legislation we are considering today is the addition of $2.5 billion for 10 C–17 Globemaster cargo aircraft.

First, let's have a little background.

Recognizing that the Department's total requirement for 180 C–17 aircraft has been well been exceeded for 3 consecutive years, the Bush administration had actively tried to close down the production line for the C–17s. Nonetheless, earlier this year, the House Appropriations Committee Defense Subcommittee, added eight more C–17s for $2.25 billion to the 2009 supplemental spending bill, a bill that is supposed to be used to fund the wars in Iraq and Afghanistan. The final version of that bill included all eight of these aircraft. When the subcommittee met later to consider the 2010 Defense appropriations bill, it went ahead and added three more.

This is a little hard to see, this chart, but it is an interesting one. These are the C–17s that were originally in the Air Force budget. These are the C–17s, in red, that have been added by Congress. Each year—each year—the Department of Defense and the administration have said: Enough. We have enough C–17s. Obviously, that has not been the case.

It brings us to where we are now—well in excess of requirements, continuing to spend billions of dollars for aircraft we do not need. Including the 8 C–17s in the 2009 supplemental, the Department has bought now a total of 213 C–17s. The original requirement was 180.

According to the most recent Statement of Administration Position, the administration ''strongly objects'' to the addition of $2.5 billion in funding for 10—count them: 10—unrequested C–17 airlift aircraft. The Department's own analyses show that the 205 C–17s in the force and on order, together with the existing fleet of C–5 aircraft, are more than sufficient to meet the Department's future airlift needs even under the most stressing conditions.

In no uncertain terms, Secretary Gates has stated that the military has no need to buy more C–17s. So here we are, my friends, with a $3 billion cut in operations and maintenance, which any observer, much less the administration, the Secretary of Defense, and the Joint Chiefs, says, is vital to continuing our operations and the well-being and protection of the men and women in the military, and we are adding $2.5 billion for more C–17s. What kind of a tradeoff is that?

Secretary Gates has stated the military has no need to buy more C–17s. While Secretary Gates called the C–17 ''a terrific aircraft''—and I agree—he stressed earlier this year that the Air Force and the U.S. Transportation Command ''have more than necessary [strategic airlift] capacity'' for airlift over the next 10 years. Nonetheless, continuing C–17 production would cost about $3 billion per year from 2010 onward.

In connection with the fiscal year 2010 budget request, the President not only requested no funding for additional C–17s but also recommended this program for termination. Particularly in light of today's financial constraints, continuing to spend billions of dollars for more C–17s we do not need is becoming increasingly unsustainable. For these reasons, I will be offering an amendment to strike the additional 10 aircraft.

Given how much our airlift capacity currently exceeds operational requirements, I see no reason why we should buy more of these aircraft—at a minimum, before key analyses on the subject, such as the Institute for Defense Analyses' review and the Department of Defense Mobility Capabilities and Requirements Study are completed.

I will be proposing an amendment shortly that I hope will correct this egregious action on the part of the Appropriations Committee. The men and women in the military, who are fighting and putting their lives on the line, deserve a lot better than that.

I want to talk for a few minutes about earmarks. The practice of earmarking is detrimental to the Department and, with increasing frequency, to Members themselves. The guilty pleas of former Members of Congress, congressional staffers, and lobbyists illustrate how earmarks have been used to corrupt the legislative process. Check the polls. The trust and confidence on the part of the American people in the Congress of the United States is at an all-time low, and deservedly so.

By my preliminary count, there are almost 700 unrequested earmarks in this bill, over 400 of which are not authorized in the fiscal year 2010 National Defense Authorization Act. That represents more than $1.3 billion in funding for unrequested, unauthorized, Member-interest items. It is unacceptable. It is the constitutional duty of Congress to provide the Department of Defense the resources it needs while providing the oversight our constituents demand. We have a fiduciary obligation to the American taxpayer, and every time we tuck pork into an appropriations measure, we shun that responsibility.

One of the great untold stories of earmarking is that the money, which is diverted to special-interest projects, would have otherwise been used to address the stated needs of our military services. The money does not come from anywhere but the taxpayers' wallets and purses. But the service chiefs, who are in the best position to advise Congress of their priorities, are routinely shortchanged so that Senators and Congressmen can fund their pet projects.

A sampling: $9.5 million is in this bill to fund research in Montana on hypersonic wind tunnels, called MARIAH—M-A-R-I-A-H. This self-licking ice cream cone has been with us, earmarked and unrequested, since 1998. The Air Force, leader in hypersonic testing and technology, lost interest in 2004, so appropriators moved the program to the Army. The Army has no official requirement for this capability and published a report in 2005 stating their disinterest in the program.

To date, the Army has no plans to fund the MARIAH wind tunnel effort, as they have stated in their budget documents. That has not kept the Congress from pouring more than $70 million into it—more than $70 million—with no discernible return. One group has done very well in the deal, however. Of course, I am referring to lobbyists, including Gage LLC, whose CEO, coincidentally, had been a senior staffer to an appropriator from Montana. I intend to offer an amendment to strike this earmark in the bill, and I can assure you, you will hear more from me on this.

We have spent more than $70 million on a project that has had no return, that the military has said they have no interest in pursuing.

Another earmark is $5 million to the battleship USS Missouri Memorial Association. This is a private organization which owns and operates this battleship as a museum in Pearl Harbor. I am aware that the association plans to put the Missouri in drydock and refurbish it, and also aware it was not part of the donation agreement that the Defense Department would pay for required maintenance.

I am all for Navy ships being placed in places where Americans can see and appreciate the great service and sacrifice of the men and women in the military, the Navy and Marine Corps in particular. The deal was that the Defense Department would not, that they would take care of the maintenance of it, that they would take care of whatever the needed expenses are. So here is $5 million.

Another earmark is $25 million for the National World War II Museum in New Orleans, to help pay for the construction of new facilities as part of a $300 million expansion. This privately funded museum opened in 2000 and, through the help of the Louisiana delegation, has already received $13 million in Department of Defense funds tucked into previous appropriations bills.

Again, if the members of the Appropriations Committee wish to go through the authorization process and have this project authorized, I would be more than willing to consider it.

Another appropriation is $13.8 million for five different earmarks pertaining to nano-tuber research. Of the almost 800 earmarks I mentioned earlier, hundreds are for high-tech research or devices. I ask my colleagues whether they are capable of weighing the merits of specific technologies they fund in this bill.

Another earmark is $20 million for a center at the University of Massachusetts ''dedicated to educating the general public, students, teachers, new Senators, and Senate staff about the

role and importance of the Senate.'' This center was neither requested in the President's budget nor authorized by Congress. Certainly a legitimate question should be whether $20 million should be appropriated for a project that has nothing to do with the defense of this Nation. It may be a worthwhile project. Why couldn't we get it authorized?

Another earmark is $10 million, as usual, to the University of Hawaii for a program called the Panoramic Survey Telescope and Raid Response System, Pan-STARRS. On the surface, this program seems like a reasonable need for the Air Force as a part of its Space Situational Awareness efforts. Unfortunately, the Air Force will not be getting much return on this investment since it will only be allowed to use the telescope 5 percent of the time.

Let's get that straight. The Air Force is paying $10 million so the telescope could be developed and maintained, and they are going to get to use it 5 percent of the time. In dollar figures, the Air Force pays $10 million to the university and receives $500,000 in return. What is more, the Air Force has not, in the 9-year life of this earmark, requested a single dollar for this program. So since 2001, the Air Force has been forced to spend more than $75 million of its budget allocation on a program it does not want—but might be able to use—only to be denied use 95 percent of the time.

I do not dispute that some of the earmarks listed in the bill have value. I am sure they do. But I protest the process by which Congress ignores priorities of the armed services so that Members can deliver tax dollars to their constituents for programs which may have nothing to do with the defense of our Nation, and at a time when we can least afford to misuse resources. We all know the economy has taken a beating over the last year. Unemployment is just under 10 percent, and the national debt is $11.8 trillion. So we are going to provide $20 million to a center with a purpose to extol the virtues of the Senate?

The issues we face as a nation require all of us to make sacrifices—all of us. It is about time we started setting an example.

In today's Washington Post is an article written by Jeffrey Smith, entitled ''Defense Bill, Lauded by White House, Contains Billions in Earmarks.'' Mr. President, I ask unanimous consent that article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 29, 2009]

DEFENSE BILL, LAUDED BY WHITE HOUSE, CONTAINS BILLIONS IN EARMARKS

(By R. Jeffrey Smith)

Sen. Thad Cochran's most recent reelection campaign collected more than $10,000 from University of Southern Mississippi professors and staff members, including three who work at the school's center for research on polymers. To a defense spending bill slated to be on the Senate floor Tuesday, the Mississippi Republican has added $10.8 million in military grants earmarked for the school's polymer research.

Cochran, the ranking Republican on the Appropriations subcommittee on defense, also added $12 million in earmarked spending for Raytheon Corp., whose officials have contributed $10,000 to his campaign since 2007. He earmarked nearly $6 million in military funding for Circadence Corp., whose officers—including a former Cochran campaign aide—contributed $10,000 in the same period.

In total, the spending bill for 2010 includes $132 million for Cochran's campaign donors, helping to make him the sponsor of more earmarked military spending than any other senator this year, according to an analysis by the nonprofit group Taxpayers for Common Sense.

Cochran says his proposals are based only on ''national security interests,'' not campaign cash. But in providing money for projects that the Defense Department says it did not request and does not want, he has joined a host of other senators on both sides of the aisle. The proposed $636 billion Senate bill includes $2.65 billion in earmarks.

President Obama has repeatedly promised to fight ''the special interests, contractors and entrenched lobbyists'' that he says have distorted military priorities and bloated appropriations in the past. In August, he told a convention of the Veterans of Foreign Wars that ''if Congress sends me a defense bill loaded with a bunch of pork, I will veto it.''

But the White House instead sent a generally supportive message to the Senate about the pending defense bill on Friday, virtually ensuring that the earmarks will win final congressional approval. For the most part, the White House lauded the bill's proposed funding for the wars in Afghanistan and Iraq, as well as its cancellation of three programs that Defense Secretary Robert M. Gates has been particularly eager to kill this year: the F–22 fighter plane, a second engine for the F–35 fighter and a new presidential helicopter program.

The bill, however, would add $1.7 billion for an extra destroyer the Defense Department did not request and $2.5 billion for 10 C–17 cargo planes it did not want, at the behest of lawmakers representing the states where those items would be built. Although the White House said the administration ''strongly objects'' to the extra C–17s and to the Senate's proposed shift of more than $3 billion from operations and maintenance accounts to projects the Pentagon did not request, no veto was threatened over those provisions.

The absence of such a threat provoked Winslow Wheeler, director of a military reform project at the Center for Defense Information, to describe Obama's stance as ''too wimpy to impact behavior.'' Wheeler, who earlier criticized the House for approving a version of the bill that includes extra C–17 planes, $2.7 billion worth of earmarks and other projects that Gates dislikes, said that ''as a long-time Senate staffer who has read these documents for years, my interpretation of it is that the House-Senate conference will listen politely . . . and then do as it pleases.''

Senior Obama aides responded that the White House never sought to fix the problem of earmarks in one year. ''The president has been clear from Day One: He wants to change the way business gets done in Washington,'' Thomas Gavin, a spokesman for the Office of Management and Budget, said Monday. ''The results speak for themselves. Earmarks in the defense appropriations bills are down 27 percent in the House and 19 percent in the Senate. This is an important step forward in the president's drive to shape a government that is more efficient and more effective.''

Those figures are the most flattering the White House could have used: They refer to the number of earmarks in the bills, not total spending. Total spending on military earmarks in the Senate declined by only 11 percent from the $3 billion approved by Congress last year.

''Despite the fact that earmarks are down, there's still nearly 800 . . . for projects that rose to the top by dint of political power rather than project merit,'' said Ryan Alexander, president of Taxpayers for Common Sense. ''The president needs to take a harder line against waste and political gamesmanship, particularly in the defense bill, which is paying for two wars.''

There is, however, wide bipartisan support in Congress for diverting funds to political donors or home-state causes.

Sen. Daniel K. Inouye (D-Hawaii), chairman of the Senate Appropriations Committee, ran a close second to Cochran's $212 million in earmarks this year, having added 37 earmarks of his own worth $208 million, according to the tally by Taxpayers for Common Sense.

Almost all of Inouye's earmarks are for programs in his home state, and 18 of the provisions—totaling $68 million—are for entities that have donated $340,000 to his campaign since 2007. His earmarks included $24 million for a Hawaiian health-care network, $20 million for Boeing's operation of the Maui Space Surveillance System and $20 million for a civic education center named after the late senator Edward M. Kennedy.

''Many of my earmarks are intended to support investment in small businesses working to hone new and innovative technologies that will better protect and support our soldiers during a time when our nation is at war,'' Inouye said in a statement Monday.

In Cochran's case, the proposed earmarks would benefit at least two entities that hired his former aides. The manager of Mississippi operations for Colorado-based Circadence is R. Bradley Prewitt, whose biography on the company's Web site states that he was counsel and campaign manager to Cochran from 1997 to 2002. The University of Southern Mississippi, which would receive $10.8 million in Cochran earmarks, paid $40,000 to a firm that employs Cochran's former legislative director, James Lofton, to help lobby on defense appropriations, according to the firm's Senate registration.

''Senator Cochran takes his responsibilities on the Appropriations Committee very seriously,'' spokesman Chris Gallegos responded Monday. ''Senator Cochran does not, and never will, base his decisions on campaign contributions.''

Mr. MCCAIN. Quoting from the article:

President Obama has repeatedly promised to fight ''the special interests, contractors and entrenched lobbyists'' that he says have distorted military priorities and bloated appropriations in the past. In August—

As I mentioned—

he told a convention of the Veterans of Foreign Wars that ''if Congress sends me a defense bill loaded with a bunch of pork, I will veto it.''

Mr. President, this bill fits that description.

It goes on:

The bill, however, would add $1.7 billion for an extra destroyer the Defense Department did not request. . . .

It talks about the C–17s and ''the Senate's proposed shift of more than $3 billion from operations and maintenance accounts to projects the Pentagon did not request, no veto was threatened over those provisions.

I want to say again, I am sure the managers of this bill will somehow try to justify this transfer out of operations and maintenance into the C–17. It is not a credible argument. It is not a credible argument.

The absence of such a threat provoked Winslow Wheeler, director of a military reform project at the Center for Defense Information, to describe. . . .

Senior Obama aides responded that the White House never sought to fix the problem of earmarks in one year. ''The president has been clear from Day One: He wants to change the way business gets done in Washington''. . . .

One thing I know about egregious practices, if you do not stop them early in an administration, you never will. It will be alleged that earmarks are down less than they were before, it is an important step forward, and the sponsors of the bill will say earmarks are down 27 percent in the House and 19 percent in the Senate.

Those figures are the most flattering the White House could have used: They refer to the number of earmarks in the bills, not total spending. Total spending on military earmarks in the Senate declined by only 11 percent from the $3 billion approved by Congress last year.

''Despite the fact that earmarks are down, there's still nearly 800 . . . for projects that rose to the top by dint of political power rather than project merit,'' said Ryan Alexander, president of Taxpayers for Common Sense. ''The president needs to take a harder line against waste and political gamesmanship, particularly in the defense bill, which is paying for two years.''

Mr. President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The bill is not yet pending.

Mr. McCAIN. I thank the Chair.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3326, which the clerk will report by title.

The bill clerk read as follows:

A bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2558

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. McCAIN] proposes an amendment numbered 2558.

Mr. McCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike amounts available for procurement of C–17 aircraft in excess of the amount requested by the President in the budget for fiscal year 2010 and to make such amounts available instead for operation and maintenance in accordance with amounts requested by the President in that budget and for Operation and Maintenance, Army, for overseas contingency operations)

At the appropriate place, insert the following:

SEC. ____. (a) REDUCTION OF AIRCRAFT PROCUREMENT, AIR FORCE, FOR EXCESS AMOUNTS FOR C–17 AIRCRAFT.—The amount appropriated by title III under the heading ''AIRCRAFT PROCUREMENT, AIR FORCE'' is hereby reduced by $2,500,000,000, the amount equal to the amount by which the amount available under that heading for the procurement of C–17 aircraft exceeds the amount requested by the President in the budget for the Department of Defense for fiscal year 2010 for the procurement of such aircraft, with the amount of the reduction to be allocated to amounts otherwise available for the procurement of such aircraft.

(b) AVAILABILITY FOR OPERATION AND MAINTENANCE.—The amount appropriated by title II for Operation and Maintenance is hereby increased by $2,438,403,000, in accordance with amounts requested by the President in the budget for the Department of Defense for fiscal year 2010.

(c) AVAILABILITY FOR OPERATION AND MAINTENANCE, ARMY, FOR OVERSEAS CONTINGENCY OPERATIONS.—The amount appropriated by title IX under the heading ''OPERATION AND MAINTENANCE, ARMY'', is hereby increased by $61,597,000.

Mr. McCAIN. Mr. President, the amendment strikes funding in the Defense appropriations bill for 10 C–17 Globemaster aircraft that we neither need nor can afford. My amendment also redirects those funds to critically important operations and maintenance accounts which the appropriators have seen fit to cut.

At about $250 million per aircraft, the total cost to the taxpayer of the C–17 earmark in this bill is $2.5 billion. But how are we paying for these aircraft? With the cuts made in the bill, it appears much of the offset for paying for the 10 aircraft falls on the O&M accounts. So why are we buying C–17s we don't need and can't afford while at the same time reducing overall O&M accounts by $3 billion?

I am sure the managers of the bill will justify this cut in operations and maintenance. I would rely on the judgment of the Secretary of Defense and the Chairman and members of the Joint Chiefs of Staff who will tell us they need this money for operations and maintenance.

I hope my colleagues understand what this really means. If this bill passes with these cuts, the Air Force in particular will be forced to decrease funding for training, equipment, depot maintenance, and the restoration and modernization of air bases across the United States, and they would not be alone. The Army, Navy, Marine Corps, and National Guard would also come out on the wrong end of these cuts and would be forced to reduce funding for facilities sustainment, training, and recruiting.

After 8 years of war, the Army's equipment readiness has fallen to truly worrisome levels. In testimony before the Armed Services Committee this year, Secretary of the Army Pete Geren said:

Predictable and timely funding is key for us to be able to operate an organization the size of the United States Army. . . .When funding is unpredictable, it makes it very hard to plan long term.

I have seen a hollow Army, deeply degraded in the decade after Vietnam and again during the drawdown of the 1990s. Today's forces are not in such dire straits as those, but 8 years of war has taken its toll on the Army, Marines, Guard, and Reserve component ground forces. As GEN George Casey said: ''The current demand for our forces exceeds the sustainable supply.''

Particularly in a time of war, I urge my colleagues to invest in the recapitalization of our ground forces—not funding aircraft we neither need nor can afford with those investments.

Finally, I wish to mention the Army Reserve and National Guard, which are, as General Casey described, ''performing an operational role for which they were neither originally designed nor resourced.'' In my view, any cut to their operations and maintenance accounts will retard the ability of these components to fit and deploy for missions at home or abroad. And I am sure the Secretary of Defense would say he would like a lot more because of the wear and tear and degradation that already exists to much of our equipment and capabilities.

We can and must do better. Left uncorrected what we would do in this bill is effectively fund the purchase of new aircraft that we neither need nor can afford with critical sustainment money. That would have a significant impact on our ability to provide the day-to-day operational funding that our service men and women and their families deserve.

Let me turn briefly to the merits of the C–17 earmark itself. If some of these remarks sound familiar, that is because I was on the floor of the Senate less than 3 months ago speaking about C–17s when the Senate Appropriations Committee earmarked eight of these cargo aircraft in the 2009 supplemental appropriations bill at a cost of $2.25 billion. That is right. In just 3 months, the Appropriations Committee has set aside nearly $5 billion for 18 C–17 aircraft that we don't need, the Pentagon doesn't want, and we can't afford.

Against that backdrop, over the last 3 years the White House has actively been trying to close down the C–17 production line, asking for as much as $500 million per year to shut down the line. But over that same period, the appropriators have been working in the exact opposite direction to ensure continued funding for the program in supplemental war funding bills—bills that

are supposed to be used to fund the wars in Iraq and Afghanistan.

So despite that the Democrat Department of Defense's overall requirements for C–17s continue to sit at 180, the appropriators have required the Department to buy through fiscal year 2009 a total of 213 C–17s, and they have done so before two key studies have been completed.

This chart illustrates what is going on. Marked in red we see the C–17s the appropriators have added. Why? Because our service men and women need them? No. In 2007, 2008, 2009, and 2010 the Air Force budgeted money to close the line each and every year.

Is the reason some sort of new stimulus package which will create new jobs? No. That is because, as I mentioned, they have had three dozen more C–17s than the Air Force has needed. In fact, right now, the backlog of C–17s is such that Boeing will not begin building these aircraft earmarked by the appropriators for another 2 years.

In the bill we are debating today, the 10 C–17s the appropriators want to fund will bring the total number of C–17s the Senate Appropriations Committee has added above any validated military requirement to 44. Enough is enough.

According to the most recent Statement of Administration Policy, the administration ''strongly objects'' to the addition of $2.5 billion in funding for 10 unrequested C–17 aircraft. The Department of Defense's own analyses show that the 205 C–17s in the force and on order, together with the existing fleet of aircraft, are sufficient to meet the Department's future airlift needs even under the most stressing conditions.

Secretary Gates has likewise very clearly said that the military has no need to buy more C–17s. While Secretary Gates called the C–17—and I agree—a ''terrific aircraft,'' he stressed earlier this year that the Air Force and U.S. Transportation Command ''have more than necessary'' strategic airlift ''capacity'' for airlift over the next 10 years. Nonetheless, continuing C–17 production would cost about $3 billion per year from 2010 onward.

There is little reason why, in connection with the fiscal year 2010 budget request, the President not only requested no funding for additional C–17s but also recommended this program for termination. In light of today's financial exigencies, continuing to spend billions of dollars for C–17s the Pentagon doesn't need and can't afford is becoming increasingly unsustainable. More so than almost any other earmark I have discussed on the Senate floor, this earmark shows our priorities are just about the opposite of where they should be.

For that reason, I am persuaded by the strength of Secretary Gates's opposition, and I find unacceptable the apparent source of funding for this earmark and urge the Members of this body to support my amendment. As I mentioned before, the amendment would redirect money from buying the C–17s we don't need and can't afford to critically important operations and maintenance accounts that are the lifeblood of our troops and their families.

So we have a choice with this amendment. We can either continue to fund an airplane that the military neither wants nor needs, or we can restore the cuts in funding in operations and maintenance which, according to the testimony of every military leader, is badly needed and wanted. The body will be presented with that choice.

Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER (Mr. KAUFMAN). Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. MCCAIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTING IN EDUCATION

Mr. BROWN. Mr. President, as Congress awaits health reform and climate change, we must also remember that education is another one of the great moral issues of our time.

Last week, my Washington office was honored to have DeAnthony Cummings serve as an intern for the day. He was 1 of only 60 students selected nationwide who traveled to Washington to participate in Job Corps Day, 45 Years of Building Lives and Launching Careers. For more than four decades, Job Corps centers around the Nation have provided vocational academic training for nearly 3 million economically disadvantaged young Americans.

DeAnthony is enrolled at the Cincinnati Job Corps Center where he is serving his second term as class president. Several months ago I visited with him and his friends at Job Corps. As the eldest sibling, DeAnthony wants to set a good example for his family. He says Job Corps is preparing him for college, where he wants to study psychology and political science. He told me he wants to run for elective office someday to serve his country. He deserves an educational system that helps him get there.

In the coming weeks, the Senate will take up a major bill to expand student aid and education funding at no additional cost to taxpayers. For aspiring college students such as DeAnthony, the bill would move all Federal student loans to the more efficient and less costly public direct loan program. The $87 billion in savings over 10 years can be invested in educational opportunities for our students—for future teachers and doctors and engineers and scientists and computer technicians and farmers.

The bill will protect a student's purchasing power of a Pell grant by ensuring that the maximum grant grows faster than inflation. Senator CASEY from Pennsylvania, who is with us today, worked with me last year to raise those Pell grants that hadn't been raised in 5 or 6 years to get them to the place where students had more opportunity to go to school. For students attending college today, the maximum Pell grant is now $5,350, a historic high.

By eliminating wasteful subsidies to lenders, we can make college more affordable and focus our attention on retention and students' success. That is where one of the Nation's most valuable resources plays a critical role. The community college system is essential to training our most talented workers and students for new jobs in new industries. Last month, the New York Times reported how Sinclair Community College in Dayton focuses on jobs not just degrees.

President Obama's American Graduation Initiative has proposed investing $12 million in community colleges and increasing the number of community college graduates by 5 million over the next decade. Dr. Jill Biden, one of the Nation's most eloquent voices on community colleges, has said:

> Community colleges change lives and serve as a gateway to opportunity for students at all stages of their lives and careers.

A few months ago, at a constituent coffee in Washington, I met an Ohioan who inspired me. Denee, from Columbus, grew up with 13 different foster care families and spent time with the Department of Youth Services. But she believed that better things were ahead for her. She worked hard, earned her GED, enrolled in Columbus State University, and is now finishing nursing school and will start a new job in the fall. Legislation such as the Building Student Success Act, which I recently introduced, will help community college generate a better outcome for their students. It is that type of Federal investment that will help presidents of Ohio's colleges and universities provide the resources for student success on campuses all over my State.

For the last 2 years, I have held the Ohio College Presidents Conference which brings together presidents of Ohio's 2- and 4-year colleges and universities to craft education policy in Washington that meets the needs of Ohio's students. Some 55 college presidents each of the last 2 years have attended and shared their experiences and ideas and views and best practices with one another. Much of what we discussed is what President Obama has explained before: that it is not enough for our economy just to recover, we must rebuild it, and that starts in our classrooms.

Reforming Federal student loan programs frees up resources to modernize schools and strengthen early childhood education. The impact of these investments will, of course, span generations. Student loan reform gives us an opportunity to address another problem that has become more acute because of the economic crisis. Too many of our Nation's students are signing away their

economic future when they sign up for college.

In 2007, 63 percent of Ohio graduates of public colleges finished school with an average debt of $21,000; 75 percent of Ohio graduates of private colleges finished school with an average debt of $22,700.

Private loans typically, though, have higher interest rates that can top 18 percent and have fewer repayment options than loans administered directly by the U.S. Department of Education.

According to an analysis by the Project on Student Debt, nearly two-thirds of private student loan borrowers didn't exhaust their Federal loan eligibility. That is why I introduced the Private Student Loan Debt Swap Act.

Under my debt swap bill, if you have an expensive and unaffordable private student loan, you can use your remaining Federal student loan eligibility to pay off or at least pay down some of that loan. By swapping expensive private loan debt, sometimes with local banks or national banks at 18 percent interest, with low-cost Federal student loans capped at under 7 percent, borrowers could much more readily repay their loans.

This legislation wouldn't increase government spending; in fact, it will likely reduce it. Expanded Pell grants and a strong debt swap bill would help Ohioans such as Kimberly, a schoolteacher from Toledo. During college, she took out private student loans, expecting that she would consolidate them after graduating. After accepting a teaching position, her lenders would not consolidate the loans because of the economy. Kimberly is a teacher at a low-income Head Start school, so she doesn't make as much money as a teacher in a public high school. She has four loans, with four different interest rates, which are all significantly higher than Federal student loan rates.

Kimberly should not have to spend the rest of her career paying off her loans or as she writes:

> I knew that I would be paying out my loan long after graduating, but at this point, someone else will have to pay out the loan after I'm gone.

Imagine that. She thinks she will never be able to fully pay this loan back because of the exorbitantly high interest rate charged by the banks.

Private student loans with enormous interest rates are driving young Americans into never-ending debt. There is no American dream within reach in that scenario for the Kimberlys of the world, just a sense of helplessness and hopelessness.

That is why this student reform bill is so important. John F. Kennedy said once: ''Our progress as a nation can be no swifter than our progress in education.''

In Portsmouth, Lima, Mansfield, Marietta, Toledo, Akron, Gallipolis, and Mason, we have leaders in our community, such as Kimberly, teaching in our classrooms, or, such as Denee, healing people in our hospitals.

Years from now? DeAnthony Cummings should be able to stand in this Chamber representing Ohio because there was an education system that believed in him.

The student aid reform bill is part of the progress we seek—that will allow a child, a working mother or an older worker to believe that in this Nation, if you work hard and play by the rules, you, too, can have part of the American dream.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, there is no doubt that there may be things in the Defense budget that you could characterize expensive, overbudget, and behind schedule programs. But the C–17 aircraft is not one of them, which is why it is so bewildering—and disappointing—that some of this Chamber's well-known budget hawks are opposed to a model procurement program and a boon for the taxpayers.

While the most important concern, of course, is for our warfighter and national security—which I will go into in more detail in a moment—let me address what seems like the primary concern for some of my colleagues: the budget.

Investing in the C–17 is actually a better use of taxpayer dollars than the obsolete and unreliable C–5A. C–17s are planes we need and can afford. The Government Accountability Office has found it would take seven rehabbed and remanufactured C–5As, at a cost of $924 million to the taxpayer, to equal the capability of just one new C–17. They have to have that airlift. Right now, the C–5A is part of it. But it cannot continue as it is. You can get a C–17 for a lot less than you can remanufacture and rehab one of the old C–5As, and that doesn't even work so good.

My biggest concern, of course, is national security. Some of my colleagues have attacked the C–17 as a special interest item. I agree. Investing in the C–17 is in the special interest of our warfighters and it is critical to our national security interests and it gives us the heavy lift air mobility we require these days.

The C–17 is a proven, combat-tested airlift capability that is essential to the fight we are in right now, and it has been a workhorse in Iraq and Afghanistan.

As some of my colleagues have mentioned, we are at war. I couldn't agree more that this is our primary concern, which is, again, why the C–17 is so important. With the war in Afghanistan heating up and the war in Iraq continuing, our airlift needs are only growing.

The Congressional Research Service has indicated that the C–17 was designed to fly 1,000 hours per year over 30 years. But as our overseas commitments have grown, some aircraft have even reached 2,400 flying hours in a single year. My colleague from Arizona pointed out that equipment is being worn out quickly in Iraq and Afghanistan. That is no doubt true. But one key piece of our equipment there is our heavy airlift capability. The heavy usage, in addition to the growth of the Army and Marine Corps, the logistics difficulty of getting supplies into Afghanistan, and the need for increased humanitarian/smart power missions in Afghanistan, Iraq, and elsewhere in the world are all reasons why I urge my Senate colleagues to support the provision in the bill that would add the long lead time purchase we need right now to make sure we can continue to purchase the C–17s as the needs develop.

Some opponents may argue that the Department of Defense and the President don't want more, that they have enough C–17s and C–5s to do the job. However, with a 50-percent readiness level, a per hour operating cost of $29,000, and 40 maintenance man-hours per 1 hour of flight, the C–5A represents ineffective and costly iron.

By replacing these obsolete, ineffective, and costly C–5As with new C–17s, which this Congress has allowed the Department of Defense to do by lifting a truly special legislative interest prohibition, saying in the past they could not retire them, we could save money, provide a more reliable capability for our warfighter, and preserve industrial capability for the future.

I have talked about the importance of investing in our airlift capability for our warfighter and our efforts in Afghanistan and Iraq. But as America's only large airlift production line, the C–17 production line, if ended, would put at risk our Nation's long-term security. Eliminating the only large airlift production line in the United States would demonstrate a lack of understanding and appreciation for the skill sets and efforts needed to build these aircraft.

Without a follow-on program, and because we have already shrunk our aerospace defense industrial base to such a low level, once these skilled workers, the engineers, designers, and their expertise are gone, we do not get them back.

If we lose the skilled engineers, designers, and dedicated workers, we could be forced to turn to Europe or Russia for our future large airlift needs. More and more, this national talent and industrial workforce, which manufactures the critical and unique equipment that helps us fight and win our wars, is being eviscerated.

Without additional funding, our aerospace engineering, design, and manufacturing base will atrophy.

This will put at risk our competitiveness on the global market, our ability to address future airlift requirements, and put at risk 30,000 American jobs stretched across 43 States.

This isn't about preserving jobs in tough economic times, although I believe the administration certainly missed a big opportunity in the stimulus bill to recommend stimulating the economy in defense production. They

didn't put a single dollar in defense production needs, which is where we have tremendous needs.

The C–17 addresses a shortsighted decision on the part of the administration. That decision took for granted the capacity and innovation of our defense industrial base, but we cannot afford to let that wither because their proposal put out of work the people who have designed these aircraft. We have found, in the past, when we have shut down acquisition lines, the skilled engineers leave. One example is they went to work at Disney. That is great. That is good work, but it is not protecting our national defense.

After the draconian defense cuts during the Clinton administration, the arsenal of democracy consolidated and shrank to a point where any further consolidation will result in an irreversible loss in competition, innovation, and industrial capacity.

C–17 production will shut down in 2010 without these 10 aircraft, and restarting production would be incredibly difficult and expensive—according to the GAO, up to $1 billion.

The GAO study further noted that ''careful planning is needed to ensure the C–17 production line is not ended prematurely and later restarted at substantial cost.''

Additionally, the GAO found that ''both the manufacturer and Air Force agree that shutting down and restarting production would not be feasible or cost-effective.''

Keeping the C–17 line open is critical not only for our national defense but for thousands of American workers who rely on this aircraft for their livelihood.

With the waning demand for commercial aircraft and a lull in military fighter jet production, it is more critical than ever to maintain the aerospace industrial base that runs the only remaining wide-body assembly line in the United States.

I urge my colleagues to exercise their constitutional authority and not go along with what I believe will be shown very shortly, if we make the decision, to have been very shortsighted. This is a decision that we, in our constitutional responsibility, can and must make.

We cannot afford disastrous defense cuts coming out of the OMB, which is why we fought and won the effort in committee earlier. It is critical—and that colleagues join with me in supporting the managers on the floor to fight a shortsighted attempt to eviscerate our warfighter's airlift capability and our Nation's industrial base. Both are critical elements for the long-term security and future of our country.

I urge my colleagues to join me in opposing the McCain amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHANNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNS. Mr. President, I ask unanimous consent to speak as in morning business for about 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. JOHANNS. Mr. President, many have come to this Chamber and have talked about their constituents and the concerns that have been expressed to us about health care and how their families would be directly impacted. The frustration driving many of those individuals who have written to us, picked up the phone, attended a town-hall meeting continues. They worry we are not listening.

The biggest misconception is that those who are raising concerns about the President's health care proposals believe that somehow they are defending the status quo. That could not be further from the truth.

We can all agree that health care costs are rising at rates that create hardships across our country. They impact families and businesses, and ultimately they are not sustainable for Federal and State budgets.

There are many things I believe upon which there would be very universal agreement. For example, I support insurance market reforms that increase access to insurance for people who have preexisting conditions. Many of us do in the Senate. I support allowing small businesses to band together to bring down health insurance premiums. Many here do. I support subsidies for those who truly cannot afford insurance to help them buy down their premiums, their deductibles or copays. Again, many here could. I support real malpractice reform that would curb costs by reducing defensive medicine. Again, many here do.

These commonsense reforms and others we could mention could be the cornerstone of what I believe would be a truly bipartisan solution to our health care crisis. But I believe the current proposals have veered in a very different direction. I cannot support so-called reform that lowers the quality of our health care, compromises the doctor-patient relationship, and drastically increases costs for Americans. Yet I worry that the provisions working their way through the Senate Finance Committee appear to do precisely that—increase costs and jeopardize quality. I do not believe it is the kind of health care reform Americans have sent us to Washington to enact.

In our current economic crisis, the last thing American families need is to see more of their paychecks going to pay taxes. This legislation presents a ''darned if you do, darned if you don't'' scenario. It taxes you if you have insurance and it taxes you if you don't.

People who depend on medical devices will see prices rise. So will individuals who take prescription drugs. States will have to raise money to pay for what I regard as an unfair unfunded Medicare mandate. Having been a Governor, I can tell you there are limited choices in State budgets, and State budgets are in crisis today. They are either going to have to raise taxes to somehow find the revenue to deal with that mandate, or they are going to have to do something equally unpleasant; that is, cut programs. Which State programs do you think Americans will want to sacrifice so Washington can have its way with the States in the Medicaid unfunded mandate?

I can tell you from experience, cutting programs is an impossible decision. So is raising taxes. States should not be put in a difficult position again and again by an overreaching Federal Government. Employers will be taxed in order to pay for required health care insurance for their employees. These taxes will create financial heartburn that no doctor's prescription can ease.

This legislation will require every American to have health insurance, with limited exceptions, and not just any health insurance. It requires health insurance that meets specific qualifications the bureaucracy in Washington will dictate.

The Finance Committee bill would require you to spend a certain share of your income before becoming eligible for health insurance subsidies. Under the original Finance Committee proposal, the Congressional Budget Office estimated that an individual who makes $32,400 a year—not a lot of money—would be required to pay $4,100 in health care insurance premiums before becoming eligible for a subsidy. That individual would also be required to pay, on average, $1,600 in copayments and deductibles. These individuals would be required, through the government mandate, again, to spend 18 percent of their income on health insurance. Surprisingly, the cheaper catastrophic coverage some would prefer would not be considered a so-called qualified plan; therefore, not an option.

Furthermore, if you choose not to have health insurance that meets these qualifications, you could be forced to pay out as much as $1,900 in additional taxes per family.

The Internal Revenue Service will be knocking on your door to make sure you literally buy into federally dictated health care reform efforts.

I have heard from many Nebraskans who feel as if this individual mandate is a direct assault on their freedom. Most people do not like the notion that Washington tells them how to live their lives. Imposing an individual mandate tax rubs Americans the wrong way. Not only are we telling them they must buy insurance, but we are telling them what kind of insurance they must buy.

I know some, including our President, argue this is not a tax; rather, it is simply a shared responsibility. The very language in the Finance Committee plan clearly states this is a tax,

and it brings in about $20 billion. Where is the President's promise that he would not raise taxes on individuals who make under $250,000 a year? Well, it is nonexistent. Last week, this was made clear during the Finance Committee markup. When asked about the effect of this individual mandate tax on the middle class, the chief of staff for the Joint Committee on Taxation responded:

> We would expect that some people paying would make less than $250,000.

For hard-working families, the individual mandates will load them up with a fancy benefit plan covering services they may not want or need. They will be required to buy it or their government will penalize them.

This is a complex and a fundamental shift in how we approach health care in our great country, indeed, in how much the government dictates the health care decisions of each and every American.

Furthermore, this legislation raises money by taxing insurance companies, medical device manufacturers, and prescription drug manufacturers. Does anybody doubt for a minute that will be passed on to the average guy? There is little doubt that these increased taxes will lead to higher premiums, more expensive medical equipment, and higher drug prices for Americans. These industries will compensate for the added tax by raising prices, ultimately raising the cost of health care in this country.

Additionally, this plan is likely to decrease research and development in the health care sector, which has been a major driver of innovation and improvement in health care quality. Creating policy that decreases the quality of our health care makes no sense. It is counterproductive. Requiring employers to provide health insurance to their employees or be fined or taxed does not make sense. The Finance Committee proposal is expected to collect $27 billion worth of those fines or taxes. In tough economic times, with unemployment almost in double digits and forecasts to go into double digits, putting more requirements and mandates on job creators and job sustainers is counterproductive. Employers will think twice about hiring more workers.

There is little doubt that these increased taxes will lead to higher insurance premiums, more expensive medical equipment, and higher drug prices for Americans. These industries will compensate by raising their prices. They simply will.

I fear low-income Americans will suffer the most. They need those jobs. We must carefully evaluate the details of this legislation and ensure that our attempts to make things better, which I believe we can do in a bipartisan way, do not ultimately make things worse. I suggest that in tough economic times, creating legislation that increases the cost of health care, that raises taxes is not true health care reform.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

MAJORITY PARTY MEMBERSHIP ON CERTAIN COMMITTEES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 290.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

> A resolution (S. Res. 290) to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, with the filling of Senator Kennedy's seat by the State of Massachusetts, we are now rearranging the committees. Some have been vacant since his death.

I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 290) was agreed to, as follows:

S. RES. 290

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON ARMED SERVICES: Mr. Levin (Chairman), Mr. Byrd, Mr. Lieberman, Mr. Reed, Mr. Akaka, Mr. Nelson (Florida), Mr. Nelson (Nebraska), Mr. Bayh, Mr. Webb, Mrs. McCaskill, Mr. Udall (Colorado), Mrs. Hagan, Mr. Begich, Mr. Burris, and Mr. Kirk.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS: Mr. Harkin (Chairman), Mr. Dodd, Ms. Mikulski, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Sanders, Mr. Brown, Mr. Casey, Mrs. Hagan, Mr. Merkley, Mr. Franken, and Mr. Bennet.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Lieberman (Chairman), Mr. Levin, Mr. Akaka, Mr. Carper, Mr. Pryor, Ms. Landrieu, Mrs. McCaskill, Mr. Tester, Mr. Burris, and Mr. Kirk.

JOINT ECONOMIC COMMITTEE: Mr. Schumer (Vice Chairman), Mr. Bingaman, Ms. Klobuchar, Mr. Casey, Mr. Webb, and Mr. Warner.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, as the Senate realizes the business today is the administration's fiscal year 2010 Defense budget proposal, our Committee on Appropriations, as everyone knows, in the regular order, had hearings and took advantage of advice from testimony and suggestions received by other Senators on and off the committee about the provisions of this important legislation. It sets out, as the Senate appreciates, the funding that will be permitted by the Department of Defense for the next fiscal year. So the subject we have today before us is specifically an issue involving a funding provision in the administration's fiscal year 2010 Defense budget proposal.

The administration proposed several funding cuts for weapons programs they deemed unneeded. The Senate Appropriations Committee, in its hearings and in its deliberations, reviewed each of the proposals and generally agreed with the recommendations set forth in the administration's budget submittal.

This bill does not include additional funding for F–22 aircraft, the Presidential helicopter, the Joint Strike Fighter alternate engine, the combat search and rescue helicopter, the Kinetic Energy Interceptor, and several other programs which were proposed for funding cuts by this administration.

The C–17 aircraft is an area where we did not agree. The committee proposed $2.5 billion be included in the bill for 10 additional aircraft. As we all know, the Defense Department is not infallible. It was wrong and overruled by Congress when it recommended program terminations of the F–117 stealth fighter and the V–22 Osprey.

The C–17 is the current backbone of our strategic airlift capability, and it will be for decades to come. C–17s are being utilized all over the world at a much faster pace than previously anticipated. While they comprise only 60 percent of the Air Force's strategic airlift fleet, they are flying 80 percent of all worldwide strategic airlift missions.

This demand for C–17 lift capability is only going to grow as new airlift missions emerge. Other missions we know about already are rapid deployment of theater missile defenses, counterinsurgency operations, as well as growing airlift demands for an expanding Army and Marine Corps.

Failure to fund the C–17 will result in the United States shutting down its airlift manufacturing base at a time when the demand for airlift is likely to grow. Allowing the C–17 supply base and production line to shut down and then trying to reconstitute it would cost billions of dollars and take years to accomplish.

The Quadrennial Defense Review and the upcoming Mobility Capability and Requirements Study are reassessing our strategic airlift requirements. Until those requirements are reevaluated, the C–17s should be included in this bill. The Air Force Chief of Staff has stated that he believes 205 C–17s and 111 C–5s are needed to meet strategic airlift requirements and that procuring more than the 205 C–17s already purchased should involve a light reduction and retirement of C–5A aircraft.

Prior to enactment of the fiscal year 2009 Supplemental Appropriations Act in June of this year, the Air Force was prohibited from retiring the older and less capable C–5As. Now that the Department has authority to retire these aircraft, we should replace a number of

them with a highly capable aircraft in production today. The Government Accountability Office has concluded:

> It will take seven fully modernized C–5s at a cost of $132 million each to attain the equivalent capability achieved from buying one additional C–17 at a cost of $276 million.

In other words, it would cost $924 million to modernize seven C–5s to get the same capability of one C–17 costing $276 million.

Based on the growing airlift needs and the new authority to retire the aging and hard-to-maintain C–5 aircraft, we added the $2.5 billion to sustain production of the C–17 program for 1 additional year. This additional year will give the Department of Defense time to complete its airlift reviews and preserve the option of adding to our strategic airlift fleet.

If funding for C–17s is eliminated in this bill and the ongoing studies determine additional airlift is needed, at best there will be significant cost increases and delays in getting the aircraft to the fleet; at worst, it will be cost prohibitive to restart the line and our service men and women will be denied equipment needed to perform their missions. That would be totally unacceptable, and I urge a ''no'' vote on the McCain amendment.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, the statement I am about to present may appear a bit redundant after listening to the great statement of the senior Senator from Mississippi, vice chairman of this committee. But as chairman of this committee, I want to, by this redundancy, emphasize that Senator COCHRAN and I work as a team, and we agree with the provisions in this measure. For the interest of this body, it should be noted that this measure was passed and presented to the Senate by a vote of 30 to zero—unanimous. A $636 billion bill coming out of the committee, after due consideration, unanimously is historic.

The amendment of the Senator from Arizona seeks to eliminate funds provided in this bill to sustain the C–17 program. As I indicated, Vice Chairman COCHRAN and I proposed, and the committee accepted, our recommendation to relocate $2.5 billion to procure an additional 10 C–17 aircraft. If approved, this will bring the total C–17 inventory to 223 aircraft. We believe this is a critical investment which will support our national security strategy and add much to the needed airlift capability.

There are three main reasons the committee supported adding funding for the C–17:

First, as everyone in the military, from senior leadership to the soldiers being transported, will agree, it is, simply put, a superb aircraft. The C–17 represents the finest in military technology. It is efficient, cost-effective, and highly capable. In short, it has no detractors.

Second, we believe the facts now show that additional aircraft are needed to meet military requirements despite that it is being recommended by the Pentagon for cancellation.

Third, the C–17 embodies the only strategic airlift production program in our Nation. As the Senator from Missouri pointed out, there is nothing on the planning ledger to replace it. If we cut off the production at this moment, it will be unaffordable to restart this program.

The C–17 provides the U.S. military with the essential flexibility to respond on short notice—and I emphasize short notice—anywhere in the world. Our air fleet assets are a major enabler of strategy and operational plans. There is not a military scenario in existence today which can be put into effect without a strong airlift fleet. The C–17 was designed specifically to meet virtually all of the needs of our warfighters. It is the only airlift aircraft that has the ability to fly both great distances and to land on austere airfields anywhere in the world. That is very important because we don't have long runways prepared for us in far-off countries. When teamed with the tactical C–130 and the C–5, the C–17 fleet provides the Nation with the capability to deliver outsized cargo to our forces wherever they may be located.

We believe the C–17 is today the finest airlift aircraft in the U.S. arsenal. With its new avionics and structures, it can maintain a very high mission capability rate. This is a term used by the Air Force to denote the aircraft's ability to perform. Comparative data filed by the Government Accountability Office in November 2008 showed that the C–17 was able to successfully perform its mission in excess of 85 percent of the time. And I think we should note that—85 percent of the time, they are able to perform their mission. On the other hand, the aging C–5 was only able to meet its performance demands 58 percent of the time. For our men and women in uniform, what this means is that if they are depending on a C–5, their needs will be only addressed a little more than half the time, while a C–17 will meet their needs more than 8 times out of 10.

In addition, the C–17 is much cheaper to operate than the C–5. It is true that a C–5 has the capacity to carry more cargo, but in the actual usage by the Air Force, the cost per flying hour of the C–17 is only 40 percent of the cost of the C–5. The Air Force has informed us that today its current statistics show that it costs $6.42 to fly 1 pound of cargo from South Carolina to Baghdad on a C–17—that is $6.42 from South Carolina to Baghdad—but $13.76 to fly the same item on a C–5. Why? Because the C–5 is unreliable, because we rarely need to fill either plane to its maximum capacity on an average mission, and because the C–17 is newer and modernized in comparison to the C–5. We simply cannot rely on the older, outdated C–5.

Opponents might argue that when we modernize the C–5 it will be able to overcome many of these problems. I would concur that a modernized C–5 will be a far better aircraft. However, I would point out that the C–5 Modernization Program has been plagued with delays and cost overruns. Because of the high cost of the C–5 Modernization Program, the Defense Department decided that it could no longer afford to modernize all 111 C–5s and it cut the program to 52. That means our military will be dependent on 59 of the old and often broken C–5s that cost twice as much to operate as the C–17 for the foreseeable future. That is 47 percent of the C–5 fleet that won't be updated and will be unable to operate efficiently to meet our military needs.

The Government Accountability Office noted that additional investments in the C–17 may be attractive. It calculated that the Defense Department would need to modernize, as Senator COCHRAN pointed out, seven C–5s—to modernize seven C–5s—to get the equivalent capability gained from acquiring one C–17. It is going to take seven C–5s to do the work of one C–17, but it would cost three times as much to modernize the seven C–5s as it would to purchase one C–17.

I would like to point out that the C–17 is a fully matured program with stable costs and little uncertainty, while the C–5 Modernization Program is still in its infancy. If there is one thing we know about Defense programs, it is that new program costs generally increase during their early years.

Some may address the Senate and say we don't need any more C–17s. They note that today the Air Force now says we only need the 213 we already have purchased. I would like to point out that in 2002 the commander of the U.S. Transportation Command testified that his C–17 requirement was for 222 C–17s. Moreover, the 2005 Mobility Capabilities Study also raises questions about how many aircraft are required. This study, which is supposed to be the basis of our strategic airlift capability requirements, identified the need for between 292 and 383 strategic airlift aircraft, a combination of C–17s and modernized C–5s. In the force today, we have 111 C–5s and 205 C–17s—a total of 315 aircraft—near the bottom of the requirement level. But that doesn't tell the whole story.

In the last Quadrennial Defense Review in 2006, the Defense Department opted to keep its total inventory near the bottom of this requirement range with 180 C–17s and 112 C–5s.

Although we have added C–17s since that time and lost one C–5, the more important fact is that the QDR based this recommendation on a plan to modernize all 112 C–5s. With the plan to only modernize 52 C–5s, the airlift capability of the fleet is drastically diminished.

In 2008, the commander of the Air Force Air Mobility Command expressed his concern with this plan. He testified that the plan with 52 modernized C–5s and 205 C–17s will not provide the strategic airlift that he required.

I would also note that these earlier studies did not take into account today's force structure. That is a very important point. Since the mobility study and the QDR were completed we have transformed our Army creating additional combat capability that requires lift. We have increased the end strength of our Marine Corps, and we have created the U.S. Africa command. All of these have increased our airlift needs.

At the same time, operations in Iraq and Afghanistan are aging our airlift fleet beyond anticipated rates. We are flying the wings off our C–17 fleet. In November, 2007, the Air Force Chief of Staff recommended buying an additional 44 C–17s to meet the required force level. On the 2009 Unfunded Requirements List the Air Force asked for an additional 15 C–17 aircraft with a stated inventory objective of 248 C–17s. Our military leaders have called for additional aircraft, our forces have grown since our last studies were written and our plans have been altered to cut back on our modernization program.

It seems to me that notwithstanding the plan offered by the Defense Department, the country has a choice—we can either agree to modernize all the C–5s or we can continue to procure additional C–17s. As noted earlier, as the GAO discovered a new C–17 offers greater capability at a lower price. To me and to many of my colleagues this just makes sense.

Unless we act this year and approve the recommendation from the Appropriations Committee, we won't have a choice. Without the funds in this bill the C–17 program will begin to shut down. I say to my colleagues this is a critical decision and we have to be certain on our course. As the GAO noted, ''careful planning is needed to ensure C–17 production is not ended prematurely . . . Restarting production would not be feasible or cost effective.'' That is the GAO.

Earlier this decade, on several occasions the Defense Department urged the Congress to allow it to begin to retire the oldest and least capable C–5s. It too believed that purchasing additional C–17s was a far superior choice to meet our airlift needs. However, each year the Congress refused to allow DoD to retire any C–5s. Eventually, the Pentagon gave up trying and decided it would be stuck with the old unreliable C–5s. While it originally sought to upgrade all the old C–5s to at least make the best of a bad situation, the cost overruns and delays in the C–5 modernization program made that decision unaffordable. I would point out that the Congress rectified this problem this year in the supplemental and allowed the Air Force to begin to retire these aged aircraft. We know that it makes economical sense to retire these poorly performing aircraft and to replace them with new C–17s. We are looking forward to the Air Force revisiting this issue in the fiscal year 2011 budget with a renewed plan to retire the older C–5s and hopefully a desire to replace them with new C–17s.

In this year's budget the Secretary of Defense has made some tough decisions'' He has opted to kill the F–22, the JSF second engine, the VH–71 Presidential helicopter, the combat search and rescue helicopter and the kinetic energy interceptor. In the bill before the Senate we have supported each of these recommendations. I will be candid that I am not confident that each of these recommendations is in our Nation's interest, but in general I support the Secretary's plans.

There is only one program that the vice chairman and I felt strongly enough about to reverse the recommendation of the Secretary, the C–17.

I have explained at some length why, it is cost effective, it is capable, and it is needed. I urge all my colleagues to reject the amendment of the Senator from Arizona and to vote to support the continuation of the C–17 program.

It is in our Nation's interest.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHANNS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

AMENDMENT NO. 2484

Mr. JOHANNS. Mr. President, I ask the current amendment be set aside and we call up amendment No. 2484.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. JOHANNS] proposes an amendment numbered 2484.

Mr. JOHANNS. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Prohibiting use of funds to fund the Association of Community Organizations for Reform Now (ACORN))

On page 263, between lines 10 and 11, insert the following:

SEC. 9____. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

Mr. JOHANNS. Mr. President, I rise to present amendment No. 2484. Actually, this is an amendment we have acted on in previous appropriations bills. In fact, this is the amendment that deals with no funding for the organization ACORN.

In the previous Interior bill this passed in a very bipartisan way with a 85-to-11 vote; in the Housing and Transportation bill, again a very bipartisan vote, 83 to 7.

This is an amendment that has overwhelming support of this body. My comments relative to this organization are a matter of the record. I do not feel a need to lay those out again, but I want to present this amendment on this appropriations bill and we have reached an understanding that this can be accepted by voice vote. I want to indicate that will be acceptable to me.

Mr. INOUYE. The Senator is correct.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 2484) was agreed to.

Mr. JOHANNS. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, the pending business before the Senate is the DOD appropriations bill for fiscal year 2010. This measure contains approximately $636 billion, including nearly $130 billion to continue the fight against terrorism in Afghanistan and all around Southwest Asia.

It contains funds to pay our men and women in uniform, as well as funds to operate our forces and to take care of our wounded. It provides the money required to equip the warfighters and to develop new weapons systems so that they may be protected in the future.

Today is September 29. The fiscal year ends tomorrow. I believe all of us should know that. On Thursday, the Department of Defense will begin to operate on a continuing resolution, a stopgap measure required because the Congress has not completed action on its 12 appropriations measures.

I want to point out that the Appropriations Committee reported its first fiscal year 2010 bill in the Senate on June 18, more than 3 months ago, and this last bill on September 10, nearly 3 weeks ago. All of the other bills were reported before the August recess.

However, because of the scheduling problems we have had, this Senate has passed just six bills. We have spent the better part of 7 weeks on the floor to pass these bills. I wish to note that in years past, most appropriations measures were taken up and passed by this body in 1 or 2 days. Now it is nearly 1 week on each bill. The Senate is known for being a deliberative body, but this is the third day the Senate has been on this important bill, and up until a few minutes ago, not a single amendment had yet to be offered.

Moreover, at this point, only eight amendments have been filed, and we have seen this pattern week after week. Our colleagues are waiting days before getting serious about these bills. The impact of these delays is that the end of the fiscal year is upon us, and

we are nearly only halfway done completing Senate action on our bills, and only one of the 12 bills has reported out of conference committee.

At this juncture, I wish to note that we have had 12 measures. Of the 12 subcommittees, 3 reported the bill to the Senate on a vote of 29 to 1—not quite unanimous, 29 to 1. The remaining nine subcommittee bills, after due deliberation, debate, and discussion, were passed on to the Senate. The Senate committee reported to this Senate with a recommendation that it be passed by a vote of 30 to 0.

This measure before us was adopted by the Appropriations Committee, made up of liberal members, conservative members, middle of the road and whatever you want, men, women, by a vote of 30 to 0.

In January, when I became chairman of this committee, it was apparent to me that the Senate and the legislative branch were losing control over the budget process. We had not passed all of our spending bills as freestanding measures since 2005. We only accomplished that feat once during the past decade.

In many cases, we have resorted to large omnibus bills to complete our work. The Senate has not been allowed to debate or amend many of the measures that were passed. This is no way to run the government.

Vice-Chairman COCHRAN and I agreed to put a stop to this practice. We vowed to pass 12 bills and to send them to the President individually. We have passed those 12 bills in a timely fashion and presented them to the Senate. Our leaders fully supported us in this plan.

I remind my colleagues that the entire Republican caucus sent a letter to the majority leader urging him to follow this approach. But when it came to putting this in practice, instead of working to get this accomplished, we have been hamstrung by slow progress on each and every bill.

We are well aware that Members have amendments they wish to have considered on this and other appropriations bills. We understand that and have been waiting to debate them. Senator COCHRAN and I came to the floor Thursday night but were told there was nothing to do. We came here on Friday morning with the same results. We are back this afternoon, and we have one amendment.

The go-slow approach that has been taken by a few of our colleagues has put us in a position in which the government must now begin to operate on a continuing resolution. What does that mean to our agencies? It means they must throw out their plans for operations and streamline activities so that only the most essential operations are funded. Continuing resolutions will continue programs that have expired and are no longer needed, and the new programs that will replace them will not be in place. It means they must delay purchases until they are sure the resources they are seeking will be approved.

In the case of the Defense Department, it means they have to delay starting new weapons development and procurement programs. Some of my fiscally conservative colleagues might applaud this, thinking it means they are cutting spending. But, unfortunately, they are wrong. In fact, we are only running up expenses, as we follow penny-wise, pound-foolish practices which cost more in the long run than they save.

Senate rules are written to protect the rights of the minority and to ensure that legislation is carefully reviewed. But it is also true that when time is of the essence, the deliberative process is frequently turned on its head and complex matters rushed through with no time to debate or opportunity to offer amendments. Rather than delay these bills, which have minimal controversy, leaving the body no choice but to adopt expedited procedures to complete action, let's proceed apace and get this and the other five bills through the Senate as quickly as possible because it is the responsibility of the Congress to ensure that taxpayer funds can be expended efficiently by passing each of these appropriations measures without depending on continuing resolutions or omnibus measures.

I urge all of my colleagues to work with us so we can complete our work, the work of this Nation.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I am going to take a few minutes to address the pending amendment, if I may. Then, at the conclusion of those remarks, I wish to speak as if in morning business for a few minutes to address another matter that will not be the subject of the pending legislation, if that is permissible.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DODD. Mr. President, I rise in strong opposition to the amendment offered by my friend and colleague from Arizona that could wipe out a highly skilled American workforce. It would irreparably damage our combat readiness, deprive our troops in the field of critical resources and threaten our national security. Those are strong words, but that is what is involved if the amendment being offered by the Senator from Arizona is adopted.

I wish to introduce my colleagues to three workers at Pratt & Whitney in Middletown, CT. We see three individuals working on this engine. They are removing test equipment after completing testing on a powerful, cutting-edge engine, preparing it for delivery to the U.S. Air Force. The man on the left is Doug. He has been working for Pratt & Whitney for 24 years. He is married with three children, 8-year-old twins and a 4-year-old.

The man in the middle is Steve. He spent 4 years in the Air Force before coming to Pratt & Whitney and boasts a quarter of a century in aviation experience. On the right is his coworker Michael, with 15 years of experience on the floor and 8 as a supervisor at this facility. If we effectively lay off these workers and the 30,000 Americans like them in 43 States who build the C–17, we will be causing tremendous pain and financial hardship at a time when our communities can least afford it.

In my home State of Connecticut—29th in total population, but 6th in total aerospace employment—we just received word that Pratt & Whitney is going to close maintenance facilities in Cheshire, CT, and East Hartford, CT, costing 1,000 jobs. If this amendment prevails, my State's largest private employer tells me that they will stand to lose another 3,000 jobs. That means the loss of decades of experience and expertise that has allowed us to maintain not parity with the world, but superiority, in the aerospace industry.

Perhaps my colleagues aren't persuaded by the imminent loss of thousands of jobs in my state or even their own. Perhaps some might be tempted to threaten the livelihoods of 30,000 people at a time when we can ill afford it. To them I say, think about these three individuals are doing for our troops.

According to the Air Force, over the last 3 years in the military's Central Command alone, the C–17 has flown more than 100,000 airlift sorties, moved more than 2 million personnel, delivered nearly 300,000 tons of cargo, and executed nearly 2,000 air drops. According to the Government Accountability Office, C–17s have delivered more than 2.4 million tons of cargo to Iraq and Afghanistan alone. That is 2.4 million tons of supplies—everything from critical gear to large vehicles—sustaining our troops on the battlefield.

The Government Accountability Office also notes that this aircraft has ''drawn praise during combat operations''—listen to this—with an 86-percent readiness rate, compared to the 53-percent readiness rate of the 40-year-old C–5 fleet that shares the cargo lift mission with the C–17s. The C–17 is the most reliable airlift plane in our arsenal, and it is also the most versatile. Unlike any other aircraft we have, the C–17 can complete combat, humanitarian, and other transport missions all over the world, thanks to its unique ability to take off and land in difficult environments, in remote airfields, or in situations where runways are shortened or degraded.

The Air Force reports that the C–17 is able to take off and land on 65 percent of the world's soils, whereas older airlift planes can only land on 6 percent.

This incredible versatility makes the C–17 vital to the success of counterinsurgency, humanitarian, and research missions the world over. It can operate not only in Iraq and Afghanistan, but in places such as Bosnia, Rwanda, Sudan, and even Antarctica.

But today I feel this versatility is taken for granted. Our commitments overseas, especially since 2001, have imposed far greater burdens on these aircraft than we had originally planned for.

The Congressional Research Service reports that the C–17 was designed to fly 1,000 hours per year, with an expected lifespan of 30 years. But as our overseas commitments have grown since 2001, the fleet has averaged 1,250 hours per aircraft and some have even reached 2,400 flying hours in a single year.

GEN Arthur Lichte, the Air Force's air mobility commander, has said that at this rate, the C–17s may have a lifespan as short as 22 years. When a mission-critical aircraft is due to retire 8 years earlier than intended, as this one may be, we who are charged with equipping our troops in the field must address our procurement plans and we must do it now. Some of our newest C–17s are already 15 years old.

I wish to remind my colleagues that last July the Senate voted 93 to 1 to authorize the expansion of the Army by 30,000 soldiers. I, along with nearly all of my colleagues, supported that increase to meet our growing security demands and relieve the combat burden on our already overstretched forces. When we took that vote, we incurred an obligation as well to provide those troops with the support they will need in order to do their jobs.

Chairman INOUYE and the members of the Senate Appropriations Committee have demonstrated incredible foresight by acting quickly to prevent these future shortfalls in this very important fleet. If this amendment to undo their good work prevails, we are doing a disservice to our troops. We are also doing a great disservice to our taxpayers.

The author of this amendment has said we should kill the C–17 now and wait for a government study down the road to see whether we need more of these aircraft. Well, if we kill the C–17, we will lose our only wide-body assembly line in the United States. According to the Government Accountability Office, it will cost up to $1 billion to restart the line when it inevitably dawns on us that we need additional military cargo planes to support our troops in the field. If we hand these three individuals and the 30,000 of their fellow workers around the country pink slips in the next few days, who do we think is going to build those planes down the road?

By the way, if we choose to try to make up the capability by extending the lives of the C–5As, we would need to overhaul and repair seven of them at a cost of nearly $1 billion to equal the capability we would get from buying just one additional C–17 at a cost of $276 million.

This amendment would hurt our workers, our troops, and our national security. It is a massive expenditure disguised as a short-term savings. It is the very definition of cutting off our nose to spite our face when it comes to the critical needs of our troops in the field. Whatever views one may have on Afghanistan or Iraq, we want to make sure that our troops, wherever they are, receive the support they need.

Today, when the vote occurs, I urge my colleagues to support the committee and reject the amendment to cut out these critical aircraft.

With that, I ask unanimous consent to be allowed to move to a matter other than the one I just discussed as in morning business.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Is there objection?

Without objection, it is so ordered.

IRAN

Mr. DODD. Mr. President, it has been a tumultuous year in Iran.

The Iranian regime has continued to pursue its nuclear ambitions, fund terrorist activities throughout the Middle East, and repress its own people. The world watched this repression play out in the wake of this summer's illegitimate elections, when brave and peaceful protestors were violently attacked.

If Iran were to acquire nuclear weapons capability, it would pose a significant threat to peace and security in the Middle East, especially to our close ally Israel and others in the region.

For years, the Iranian regime has refused reasonable requests by the international community. And it has failed to meet its obligations under international nonproliferation rules.

That is a threat to both national security and global stability, and it cannot be allowed to stand unchallenged.

President Obama has undertaken an aggressive dual-track approach. He has offered high-level engagement with Tehran, but has matched that carrot with the stick of sustained pressure through economic sanctions. As the President has warned, Iran won't be allowed to run out the clock.

As chairman of the Senate Banking Committee, I intend to introduce legislation that will arm the administration with the ability to impose tough, targeted sanctions if Iran does not respond to our final diplomatic efforts in the coming weeks.

We must confront Iran's government with its long record of duplicity and deception on the issue of its nuclear facilities.

Last week, President Obama revealed that Iran is building a secret uranium enrichment facility in violation of international rules.

The President and our allies have rightly insisted that IAEA inspectors be allowed to access this facility promptly. And over the weekend, Iran moved forward on provocative missile tests.

In two days, the United States and our allies will begin key talks with Iran's leaders. Unfortunately, Iran's President has already suggested that appropriate limits to his country's nuclear enrichment program are off the table.

Clearly, in light of this growing threat, there is cause for great concern and prompt action on our part.

But there is also cause for hope that Iran might be forced to change course. We have received renewed support from our allies. We have been encouraged by the strong international rejection of election abuses. And we have seen tensions within the Iranian regime begin to break into the open.

It is not too late for a proper resolution. But the road ahead is difficult. It will require sustained diplomatic effort to ensure all of our strategic partners—the Europeans, the Russians, the Chinese, the Indians and moderate Arab states throughout the Middle East join this effort.

We will only succeed if Iran is confronted by the prospect of sustained, progressively intensifying multilateral economic and diplomatic pressure on its government including tougher sanctions.

This week's negotiations should confront Iran's leaders with a clear choice: end its illegitimate efforts to enrich uranium, halt its proliferation efforts, and stop supporting terrorists around the world—or continue to deepen this regime's isolation, and ruin the Iranian economy.

The administration is right to attempt engagement with Iran even as we make clear that biting sanctions will follow if international demands for greater transparency continue to meet with stubborn refusal.

Administration officials have outlined to me a menu of additional tough multilateral sanctions that they are considering imposing. Congress must equip President Obama with a full range of tools to deal with the threats posed by Iran.

In the last Congress, the Banking Committee approved comprehensive legislation to impose tough new sanctions on the Iranian regime; authorize investors to divest from companies active in Iran's energy sector; and combat black-market networks spreading weapons around the world. Unfortunately, floor consideration was repeatedly blocked by a small minority.

Given the rising stakes, I intend to work with my committee colleagues, including Ranking Member Senator SHELBY, to press forward similar sanctions legislation in the next few weeks.

I want to congratulate Senators LIEBERMAN and BAYH for their leadership on this issue, including their legislation to impose further sanctions on entities involved in importing gasoline to Iran or in assisting Iran's efforts to expand its domestic refining capacity.

Iran's energy sector is a key source of revenue to the government—and Iran is especially susceptible because of its dependence on imported gasoline. I will integrate these critical provisions into the legislation.

Our legislation will be targeted and strategic, maximizing the economic leverage of the U.S., our partners and allies, and investors while avoiding the risks of a more indiscriminate approach.

The bill would also expand coverage under the Iran Sanctions Act to include financial institutions, underwriters, guarantors, and other business entities, and extend the applicability of sanctions to oil and gas pipelines and tankers.

It would impose a broad ban on direct imports from Iran to the U.S. and exports from the U.S. to Iran of those few items still able to be so shipped, exempting food and medicines.

It will strengthen existing authority to freeze the assets of Iranians active in weapons proliferation or terrorist activity, and make it clear that U.S. entities who establish a subsidiary to get around sanctions laws will be held liable for the activities of their subsidiaries.

Finally, it would impose new requirements that the President actually make a determination, and report every 6 months to Congress, regarding the sanctionability of eligible investments in Iran's energy sector.

In addition to expanding U.S. sanctions, the bill would also establish a simple formula authorizing divestment from firms which invest significant amounts in Iran's energy sector, with provisions patterned after the Sudan Accountability and Divestment Act enacted 2 years ago.

Many of us believe that Americans should be able to divest from energy firms doing business with the Iranian regime whose policies they abhor, and which indirectly help to prop up the regime.

They should be given the tools they need to make socially responsible decisions. And investors who choose to divest—States, large pension and mutual funds, and others should be held harmless for these decisions. Investing in Iran is risky business, and investors should be fully informed of those risks going in. The bill does not require divestment; it simply permits it.

Finally, this bill will provide incentives for countries to strengthen their export control systems to stop the illegal diversion of sensitive dual-use technology to countries like Iran, and impose tough new licensing requirements on those who refuse to cooperate.

As we confront the realities of a global marketplace, with manufacturers assembling parts of complex machinery such as aircraft and computers from a supply chain spanning the globe, and as regimes like Iran, North Korea, and Syria trawl various trans-shipment hubs for such parts to assemble high-tech weapons, it makes sense to address this problem head-on.

We have developed a way to do this, with an array of carrots and sticks to prod unwilling countries to get serious about developing and implementing tough, comprehensive export control rules and systems.

Our allies continue to work closely with the US to increase economic and diplomatic pressure on Iran.

I believe our legislation will complement and reinforce those ongoing diplomatic efforts, and send a clear signal to Iran's government of what's in store if they continue to flaunt the will of the international community.

Congress will be moving forward on the same timetable that the President and our allies have set for this fall, to underscore to Iran's leaders the huge price they will pay economically, politically, diplomatically, and otherwise if they do not change course.

The government of Iran must come clean on its nuclear program, which as President Obama observed last week represents a direct challenge to the basic foundation of the international nonproliferation regime. I hope my colleagues will join me in supporting efforts in the coming weeks to make clear to the Iranians that we in Congress stand with President Obama in our determination to confront this problem forcefully, and urgently, before it is too late.

Mr. President, we will have our hearing on October 6 in the Senate Banking Committee. My intention is to, shortly thereafter, a week or so, combine the proposals offered into one strong, comprehensive sanctions bill. I, as well as others, believe we should take no options off the table and that we understand the implications of the statement.

Most of us agree every effort ought to be made to resolve this matter short of the use of military force. Obviously, that option remains. I believe we are proposing a sanctions regime, along with the needed cooperation of other nations around the world, that will send an unequivocal message—and nothing would be more important at this hour than to send that clear united message from this body and the other body—of our determination to use all the tools available to us to bring about the desired change we seek.

By adopting this strong legislation, my hope is they will understand how serious we are in our determination to achieve the common goal sought by the administration and us in this body.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I rise with respect to Iran's nuclear program. I commend the Senator from Connecticut, chairman of the Banking Committee, for his presentation a few moments ago. Similar to so many Americans, we have learned a lot in the last couple days that is troubling.

The Iranian regime, discredited this summer by the deplorable repression of peaceful prodemocracy demonstrators across the country, has reached a new low on the international stage. Again, I speak of the Iranian regime—the Government—and not the people of Iran. The disclosure of the uranium enrichment facility near the city of Qum should serve as a wakeup call for those who believed Iran's nuclear program was only for peaceful purposes. The regime continues to deceive the international community about its nuclear intentions and program development. It continues to threaten our ally Israel; it continues to disregard its international commitments; and, yes, the regime continues to directly threaten the national security interests of the United States.

As the administration begins talks on Thursday, we in the Senate should be prepared to do our part and pass tougher sanctions on the Iranian regime to compel its compliance with international standards. We have a responsibility to provide the administration with the tools it needs to maximize pressure on this increasingly intransigent Iranian regime.

I applaud the administration's approach to recalibrating U.S. engagement around the world. At a minimum, this international effort will restore America's long-held reputation of being an honest broker, of a country that values diplomacy and relationships with allies and welcomes new ones. Internationally, the United States is on a better footing than it has been in years. Ties with allies have been strengthened. Those on the fence, such as Russia and China, in this particular question, are showing signs of cooperation on issues that are critical to our national interests. Our adversaries, not sure how to demonize the United States such as they used to do, are on their heels. The administration's diplomatic offensive has put us into a position where we have a strong coalition going into these important discussions on Thursday.

The events of the last week are unfortunate evidence of the Iranian regime's deceit, defiance, and disregard for international standards for peace and security.

First, on Monday, the Iranian regime sent a letter to the IAEA disclosing the existence of the second enrichment and refining facility, a site that the United States and Israeli intelligence reportedly have tracked for years. This missive denies that the site was intended for nuclear purposes, though the 3,000 centrifuges were clearly meant for weapons-grade refinement. Moreover, the site was buried deep underground and under protection by the elite Revolutionary Guard—not the typical protocol for a peaceful energy site.

On Wednesday, the Iranian President, Mr. Ahmadinejad, used his time on the rostrum at the United Nations not to welcome a new day of engagement with the international community but in typical fashion to rail against Israel. This desperate attempt to divert attention from his own internal political

problems, as well as his government's deceitful nuclear program, once again showed this regime is not a responsible actor on the world's stage. Iran's people recognized this last June by voting against Mr. Ahmadinejad and his brand of politics. The world witnessed on live television how Mr. Ahmadinejad viewed the democratic process as his people paid dearly for the audacity of their vote.

Finally, over the weekend, Iran's news service reported three rounds of missile tests, including those capable of hitting Israel. GEN Hossein Salami, head of the Revolutionary Guard Air Force, said the drills were meant to show that Tehran is prepared to crush any military threat from another country. This erratic display will actually weaken, not strengthen, Iran's hand in Geneva and will hopefully serve to convince our Russian and Chinese friends that the Iranian regime is not a credible actor nor a reliable trading partner.

After this disturbing but strangely predictable week of Iranian regime behavior, American negotiators will head to Geneva. This is the first official and direct meeting with Iranian negotiators in 30 years. Leading the American delegation is Ambassador Bill Burns, one of America's most respected diplomats. Having served in Russia, Ambassador Burns is well placed to address the complex international dimensions to this diplomatic problem. We will be well represented in Geneva, and I wish Ambassador Burns and his team all the best in what will surely be a challenging assignment.

Iran is not going into these negotiations on sure footing, while the international community has never been more united. Led by the United States, Britain, Germany, and France, opposition to Iran's nuclear program is based in fact, rooted in a willingness to engage, and backed up with a clear and firm message: An Iran with nuclear weapons is unacceptable under any circumstances. Let me repeat. An Iran with nuclear weapons is unacceptable under any circumstances.

This message is gaining stronger resonance with Russia and China. The Russian President's comments at the University of Pittsburgh last week indicated a willingness to consider sanctions. This is a potentially remarkable breakthrough because if the Russians are willing to support international sanctions, the Chinese could be left alone among the P5+1 group in that determination. While China relies on Iran for substantial fuel imports, I trust they are carefully weighing their need for energy against Iran's increasingly erratic and irresponsible behavior. The opportunity cost of doing business with this regime has increased considerably and may now be too high a price to pay. I hope the Chinese will support international efforts to pressure this Iranian regime at this critical time with the understanding that these efforts could ultimately result in a more reliable and stable partner in Tehran.

It is next to impossible that the Iranian regime will be able to prove that its nuclear sites are for peaceful purposes by this Thursday. The Obama administration needs to be ready to move quickly and build on international momentum created over the past week to pressure this regime. That is why we in the Senate need to be ready to play our part, support the administration, and move on sanctions.

We currently have two proposals on Iran pending before us. First, the Iran Sanctions Enabling Act is a measure introduced by Senator BROWNBACK and myself. We introduced this bill last May. This would allow State and local government pension funds to divest from companies that do more than $20 million in business with the Iranian energy sector. The second bill, the Iran Refined Petroleum Sanctions Act, introduced by Senators BAYH and KYL, explicitly empowers the President to impose new economic sanctions on foreign firms involved in the export of gasoline and other refined petroleum products to the Islamic Republic of Iran. I am cosponsor of this bill, along with more than 75 of my Senate colleagues.

The Iran Sanctions Enabling Act is modeled on similar legislation passed in response to the genocide in Sudan. Eighteen State legislatures have passed individual Iran sanction measures, and our legislation would bring these State efforts into line with Federal law. When President Obama was in the Senate, he introduced an earlier version of this legislation. It was right in 2007, and it is right in 2009.

Analysts have estimated that Iran requires $20 billion annually in investments for its oil and natural gas sector. This sector directly provides funding for Iran's nuclear program, as well as its support for international terrorism. Iran will only cease its illicit nuclear program, end its support for terrorists in Hamas and Hezbollah, and stop arming militant groups in Iraq when it is compelled to pay an economic price.

We are entering a critical phase in President Obama's strategy of engagement with Iran where Tehran will face a true test. I hope the October 1 negotiation will lead to a freeze in Iran's nuclear enrichment efforts and ultimately a nuclear weapons-free Iran. Will the regime accept the President's genuine offer of dialog and comply with international nuclear standards or will it continue a losing strategy that serves to deepen its own isolation? These are questions for the Iranian regime, and they must answer these questions.

If last week is any indication, Congress should be prepared to hand the President the leverage he needs to send a message to the regime that America cannot and will not accept an Iran with nuclear weapons. The administration needs all the tools at its disposal to increase pressure on the regime diplomatically, politically, and through more stringent economic sanctions.

I call on my colleagues to listen to legislatures in so many States across the country that have passed divestment measures already. The American people do not want anything to do with investing in this regime. Let's pass divestment and petroleum sanctions and send a message to this regime and to the international community that a nuclear-armed Iran is unacceptable.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2558

Mr. INOUYE. Mr. President, earlier, the Senator from Arizona raised concerns that the Committee on Appropriations had reduced funding in the operation and maintenance accounts. As I noted in my opening statement, this committee of ours reviews the entire budget and adjusts funds based on that review. That review came out with various results, and I would like to discuss some of them with you.

Before I do the analysis, I would just point out to my colleagues the budget that we are considering at this moment was formulated about a year ago—a year ago. That is when the process began. I am certain all of us will agree that since that time much has changed. Therefore, the committee believed we owe it to the Senate to apply the funds we recommended where they are most needed at this moment, not where they were needed a year ago.

For example, the reductions to operations and maintenance programs we recommended are based on a lack of justification or of changed requirements. The funds are not reduced because of a need to transfer funding to other appropriations.

The Senator from Arizona suggested we are taking out certain funding to pay for earmarks. The O&M accounts—operation and maintenance accounts—were reduced in this fiscal year 2010 base budget for many reasons, and just let me explain a few.

Five hundred million dollars, or half a billion dollars, was not a cut as suggested by the Senator from Arizona, but it was, rather, a transfer from the base budget request to the overseas contingency operations budget because the resources for certain programs were more appropriately funded for the Iraq and Afghanistan war. This is what they suggested.

One hundred million dollars was reduced based on administrative savings proposals. In April of this year the Office of Management and Budget was directed by the President to work with agencies to identify cuts to their administrative budgets separate and apart from those identified by the fiscal year 2010 budget—beyond that.

The DOD savings identified by the administration was $100 million in fiscal year 2010, and we allocated these funds to other worthy projects.

Finally, $100 million was cut from the Security and Stabilization Program because that was not authorized by the Senate Armed Services Committee.

Mr. President, we do this type of review every year. Every year someone complains their programs are cut, but we stand by our recommendations. We do more to enhance the readiness of the forces in this bill than was requested. Keep in mind since this budget was drafted, we have requested and added 30,000 more troops. We do so by providing equipment to our National Guard and Reserves. Everyone supports the National Guard, but we give them secondhand tools. It is about time they got some good ones. We do so by applying resources to buy MRAPs to protect our troops. And, yes, we do so to buy more C–17s to carry our forces wherever our leaders send them.

I thank the Chair.

Mr. LEVIN. Mr. President, I support the McCain amendment that would strike the $2.5 billion in additional funding for C–17 aircraft in the committee-reported bill and restore serious cuts that were made in the readiness accounts, in part to shift funds to support continued C–17 production.

Terminating production, like closing a base, can involve some economic loss for the communities involved. It involves pain—we understand that—up close and personal. But we must do so from time to time and make these difficult decisions. We have to do that for what is best for the Nation and for the men and women in the Armed Forces because, as Secretary Gates said in a letter to me today expressing support for ending C–17 production: The Department does not need additional C–17s to meet strategic needs.

First, I want to agree with Chairman INOUYE that the C–17 is a fine aircraft. I have been a strong supporter of the C–17 program, even when it was having growing pains early in the program. If we did not already have a C–17 aircraft fleet, we would have to create one. But this is not a question of whether we should buy the C–17. We have bought them, for a total of 213 aircraft. It is a question of ''How many C–17s do we need?''

On that very point, I wrote a letter to the current Chief of Staff of the Air Force, General Schwartz, who was then commander of the U.S. Transportation Command, on November 6, 2007.

I had asked for his professional opinion as to whether we needed C–17 aircraft beyond the 190 C–17 aircraft the Air Force had already bought, and he gave us his personal and professional opinion. He said:

> Since you asked for my personal and professional opinion, I believe that 205 C–17s and 111 C–5s is the correct fleet mix for the future.

He explained how he reached that opinion.

Mr. President, I ask unanimous consent that my letter to General Schwartz and his letter to me be printed in the RECORD, and also a letter I received from Secretary Gates be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, November 6, 2007.

General NORTON A. SCHWARTZ, USAF,
Commander, U.S. Transportation Command, Scott AFB, IL.

DEAR GENERAL SCHWARTZ: The conferees on the National Defense Authorization Act for Fiscal Year 2008 are meeting now to reach agreement on the contents of this bill. One of the issues before the conferees is the question of buying more C–17 aircraft as recommended in the House-passed bill.

Before we come to a conclusion on the best way to proceed, we need to hear your personal and professional opinion on two issues: (1) what is your requirement, if any, for C–17 aircraft beyond the 190 C–17 aircraft that the Air Force has already bought; and (2) what is the basis of your requirement, if any, for aircraft beyond the 190 C–17 aircraft that the Air Force has already bought.

Due to the urgency of completing our conference, we appreciate receiving your response to these questions no later than 5 p.m., Tuesday, November 6, 2007.

Sincerely,

CARL LEVIN,
Chairman.

U.S. TRANSPORTATION COMMAND,
Scott Air Force Base, IL, November 6, 2007.

Hon. CARL LEVIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEVIN: Sir, thank you for the opportunity to respond to your questions concerning the strategic airlift fleet. I support the programmed strategic airlift fleet of 180 C–17s, extended by the Fiscal Year 2007 Bridge Supplemental to 190 aircraft, combined with 111 modernized and reliability improved C–5s. This fleet mix, augmented with the capability of the Civil Reserve Airlift Fleet (CRAF), provides sufficient airlift capacity to meet strategic and operational objectives during large-scale deployments, while supporting other high priority operations and forward deployed forces,

However. the outcome of the C–5 modernization program will have a direct impact on the capacity the C–17 will shoulder. Therefore, given the uncertainty surrounding the C–5 modernization program, I cannot recommend terminating C–17 production at this time.

Since you asked for my personal and professional opinion, I believe 205 C–17s and 111 C–5s is the correct fleet mix for the future. I reach this opinion by combining the analysis of available million-ton-miles per day (MTM/D) capability, fleet mission capable rates, the annual flying hour program, average cost per flying hour, total number of organic aircraft tails, available pallet capacity, and average age of the fleet. Taking these factors together, I personally conclude 205/111 is the sweet spot.

My top airlift priority, however, remains the recapitalization of our aging tanker fleet. The KC–X will not only fulfill its primary refueling role, but will multiply our transportation options. The strategic airlift fleet mix should be calibrated as necessary to account for this strategic necessity and to ensure we don't over-build overall organic capacity to the detriment of our commercial partners.

Thank you for considering my input on these very important issues. And as always, thank you for the outstanding leadership you provide our country and for the excellent support you provide the Armed Forces of the United States.

Sincerely,

NORTON A. SCHWARTZ,
General, USAF, Commander.

THE SECRETARY OF DEFENSE,
Washington, DC., Sept. 29, 2009.

Hon. CARL LEVIN,
Chairman,Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing as a follow up to our discussion last week regarding the retirement of strategic airlift aircraft.

The Department fully supports the language in Section 311 of the Supplemental Appropriations Act of 2009 (Public Law 111–32) which requires a minimum of 292 strategic airlift aircraft as reflected in the Department's 2005 Mobility Capability Study.

Since the release of MCS–05, Congress has funded an additional 33 C–17s the Department did not request. The addition of these C–17 aircraft influenced our decision to upgrade only 52 of 111 C–5s with the Reliability Enhancement and Re-engining Program (RERP). Congress is now considering adding another 10 C–17s in the FY2010 budget.

The Department's current fleet of 324 aircraft (213 C–17/111 C–5) is in excess of strategic airlift needs, driving increased operating costs at the expense of other priorities. Each C–5A costs over $13 million in annual operating expenses. Since we are over our current requirement by eight aircraft, as determined by the analysis conducted during the C–5 RERP Nunn-McCurdy recertification, it costs the Department over $100 million a year in excess expenditures. These costs will only grow if we receive additional C–17s and/or delay the ability for the Department to retire excess aircraft.

Initial indications from Mobility Capability Requirements Study 2016 show the strategic balance will not fundamentally change. This leads me to believe: (1) the Department does not need additional C–17s to meet strategic needs; and (2) the Department needs to begin shedding excess strategic airlift inventory by retiring a portion of the C–5A fleet now. The Department requests your support and authority to allow the proper management of the strategic airlift fleet to meet the Nation's requirements.

Thank you for your strong interest and continued support of the Department.

Sincerely,

ROBERT M. GATES.

Mr. LEVIN. Mr. President, for those members of the Senate not familiar with the phrase ''personal and professional opinion,'' let me explain. In the Armed Services Committee, we require that military officers, appointed to senior positions such as the Transportation Command position, affirm that, when asked for their personal and professional opinion on any matter, they are obliged to give their own opinion, whether that opinion agrees with that of the Secretary of Defense, the President, or anyone else in the executive branch.

General Schwartz replied to my letter on November 6, 2007:

> Since you asked for my personal and professional opinion, I believe that 205 C–17s and 111 C–5s is the correct fleet mix for the future. I reach that opinion by combining the analysis of available million-tonmiles per day (MTM/D) capability, fleet mission capable rates, the annual flying hour program,

average cost per flying hour, total number of organic aircraft tails, available pallet capacity. And average age of the fleet. Taking these factors together, I personally conclude 201/111 is the sweet spot.

It is clear from his letter that General Schwartz and the members of TRANSCOM had given serious thought to the question of how many C–17s we should have.

More recently, in the fiscal year 2008 Defense Authorization Act, we required that the Department conduct a Study on Size and Mix of Airlift Force. That study was conducted by the Institute for Defense Analyses, IDA, and was completed in February, 2009. Among the questions that the study answered were the following:

What are the cost and other implications for stopping production of the C–17 line and then restarting it later, if needed?

Our assessment of the C–17 line shutdown and restart is that continued production, even at low rates, is expensive relative to restart costs. Moreover, under the scenarios and other assumptions considered in this study, additional C–17s were not needed to meet the MCS (Mobility Capability Study) moderate-acceptable-risk delivery rates used as a benchmark by the analyses conducted here. We also found that retiring C–5As to release funds to buy and operate more C–17s is not cost-effective.

Mr. President, the time has come to stop C–17 production at 213 C–17 aircraft. That is all we need to buy, that is all we can afford to buy, and that is all we should buy.

The money that would be freed up by the McCain amendment would be transferred to the operation and maintenance, O&M, accounts. The bill cut roughly $2.4 billion from the budget request. I fear that this overall reduction could force the Department to make serious reductions in O&M activities, if not, in fact, forcing the Department to ask for another supplemental funding request. We should do all we can to avoid that possibility.

Mr. CONRAD. Mr. President, I rise to offer for the record, the Budget Committee's official scoring of H.R. 3326, the Departments of Defense Appropriations Act for fiscal year 2010.

The bill, as reported by the Senate Committee on Appropriations, provides $636.3 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of $401.7 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total $646 billion.

The Senate-reported bill is $1 million below its section 302(b) allocation for budget authority and is $28 million below its allocation for outlays.

The bill includes $128.2 billion in budget authority designated as being for overseas deployments and other activities. Pursuant to section 401(c)(4) for the 2010 Budget Resolution, adjustments to the Appropriations Committee's section 302(a) allocation and to the 2010 discretionary spending limits were made for that amount and for the outlays flowing therefrom.

No budget points of order lie against the committee-reported bill.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 3326, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

[Spending comparisons—Senate-Reported Bill (in millions of dollars)]

	Total
Senate-Reported Bill:	
Budget Authority	636,270
Outlays	646,043
Senate 302(b) Allocation:	
Budget Authority	636,271
Outlays	646,071
House-Passed Bill:—	
Budget Authority	636,293
Outlays	647,932
President's Request:—	
Budget Authority	640,137
Outlays	650,641
SENATE-REPORTED BILL COMPARED TO:	
Senate 302(b) allocation:	
Budget Authority	−1
Outlays	−28
House-Passed Bill:	
Budget Authority	−23
Outlays	−1,889
President's Request:	
Budget Authority	−3,867
Outlays	−4,598

NOTE: The table does not include 2010 outlays stemming from emergency budget authority (BA) provided in the 2009 Supplemental Appropriations Act (P.L. 111-32) but does include outlays from regular BA designated as being for overseas deployments and other activities. The 2010 BA total includes $5 million in non-defense BA resulting from that Act. The remaining BA is classified as defense.

EXECUTIVE SESSION

NOMINATION OF JEFFREY L. VIKEN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH DAKOTA

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Jeffrey L. Viken, of South Dakota, to be United States District Judge for the District of South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON. Mr. President, as you know, one of the duties granted to the Senate in the Constitution is the advice and consent of judges appointed by the President to the bench. The lifetime appointment of a judge is a very serious decision, one that has a lasting impact on our democracy.

Today the Senate takes up the nomination of Jeff Viken to be Federal district judge for South Dakota. It is this nomination that I wish to speak of today.

So far this Congress, under the new President, has confirmed two judges. One of those judges is Supreme Court Justice Sonia Sotomayor and the other is a Second Circuit judge. I am proud to have a South Dakotan as the third judge to be confirmed by the Senate. However, we are 9 months into this new administration, and we have only confirmed two judges.

I must say I think the process of nominating and confirming judges has become increasingly overpoliticized. While I believe a President should have some latitude in selecting judges, they should not be ideologues.

Jeff attended law school at my alma mater, the University of South Dakota, where our attendance overlapped. I received my law degree in 1975, and Jeff received his law degree in 1977. Jeff has served as an assistant U.S. attorney and acting U.S. attorney for South Dakota before going into private practice. His extraordinary reputation of skill and integrity during his years of public and private law practice will translate well and benefit this court. The same can be said of his tenure as the Federal Public Defender for North and South Dakota, a job he has held since 2003.

Regarding his nomination, Jeff received a ''well qualified'' rating from the American Bar Association. It is clear he has an accomplished résumé and many years of public service. It is a great honor that President Obama has placed on Jeff. We are very fortunate to have a great member of the South Dakota legal community nominated to this post. Jeff has many years of public service, and we look forward to his future work for the people of South Dakota. Most importantly, his nomination to the bench is a victory for justice and the rule of law, not only for South Dakota but for our Nation.

I have known Jeff for a long time. I find him to be a nominee of good moral character and standing in the community. It is with great satisfaction that I will cast my vote today for the confirmation of Jeff Viken to be the next U.S. Federal district judge for South Dakota. I urge my colleagues to support this very qualified nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank Senator JOHNSON for his comments and value his opinion on this nomination. I look forward to seeing this nominee confirmed.

The confirmation process we have in this country is a very important matter. Our Democratic colleagues are, understandably, inclined to be supportive of whomever the President puts up. It has been a recognized responsibility for the minority party, the party that is not of the President's party, to ask questions and dig into the backgrounds of these nominees and move the good ones and raise the proper questions if there are problems.

Mr. Jeffrey L. Viken has an impressive background. Early in his career, he was an Assistant and Acting U.S. attorney. He is a member of the trial lawyers plaintiff bar association in South Dakota. He has been in private practice for 22 years, and for the last 6 years he has been a Federal Public Defender where he defends criminal cases. So he has been a prosecutor and a public defender. I guess that is a pretty good match, and I am happy we were

able to work out this agreement with the majority and process this nomination very quickly. Actually, he was voted out after his first appearance before the Committee and is already on the floor.

But I would note for some people who say there has been a dragging of feet on the nominations that the President did not send this nomination forward, his first district court nominee to the Senate, until June 25, a few months ago, when the Senate and the Judiciary Committee were consumed with the Supreme Court nomination of now-Justice Sotomayor. Understandably, Chairman LEAHY could not and did not report his nomination until after that confirmation process was over, until after Labor Day. We were then able to come to a time agreement and also to vote on the nomination of Judge Gerard Lynch, who is a highly able nominee but an activist judge with a philosophy too close, by my way of thinking, to Justice Brennan on the Supreme Court for whom he clerked. So I think it is healthy for us to ask questions. I voted for Judge Lynch for the Second Circuit, and he was confirmed by a very large vote.

We will continue to work with the majority party and the President and move the nominees at an appropriate pace.

I wanted to note a little bit more about the pace of nominations. You know, it is not possible for the Senate to confirm a nomination until the President has nominated someone. I have heard my colleague, the Chairman, Senator LEAHY, say that we haven't had enough confirmations, but I would note that there is an 11-percent vacancy rate in the Federal courts. That is not an extraordinarily high vacancy rate. It takes some time to do background checks and for the President to consider the people he might want to nominate and to consult with Members of the Senate as he does so. I would note that at this moment there are 74 Federal District Court vacancies—Judge Viken is nominated for one—but there are only 9 nominees before the Senate. There are 28 circuit and district court seats that are deemed to be judicial emergencies, but only 6 nominees have been submitted to the Senate for those judicial emergency seats. We can't confirm people until they are nominated. We can't do a background check on nominees until they have been nominated. We can't have the information and their records and their FBI backgrounds and the bar association evaluations take place until they have been nominated.

I would just make my commitment that we will continue to move nominees like Mr. Viken in a timely fashion. I reviewed his record. I have also carefully reviewed his responses to questions from the Senate Judiciary Committee. One of his answers, I have to note, was troubling to me. He stated that he believes he fits President Obama's standard for the types of judges he will nominate to the Federal courts; that is, he meets the President's ''empathy standard.''

President Obama described that standard as follows:

> We need somebody who's got the heart, the empathy, to recognize what it's like to be a teenage mom, the empathy to understand what it's like to be poor, or African-American, or gay, or disabled, or old. And that's the criteria by which I am going to be selecting my judges.

In 2005, when then-Senator Obama was in the Senate and he explained on the floor his vote against Chief Justice John Roberts, who I think is one of the finest nominees we have seen in decades and whose testimony before the Judiciary Committee was stunning in its impressiveness and his grasp of the legal issues, his comprehensive knowledge of how the Court worked, and cases—there was not a case brought up that he didn't seem to fully know about. Virtually every case the Supreme Court had ever written he seemed to be knowledgeable about. It was just a tour de force. Senator Obama voted against Judge Roberts and stated that 5 percent of cases are determined by ''one's deepest values and core concerns . . . and the depth and breadth of one's empathy.'' We can only take this to mean that the President believes that in 5 percent of all cases, judges should not set aside their personal beliefs, biases, or experiences. I think this is a radical and a dangerous departure from the most important pillar, the fundamental pillar of the judicial system—judicial impartiality.

Whatever the empathy standard is, it is not law, and we have courts of law in this country. Whenever a judge employs his personal beliefs, biases, or experiences to make a decision that favors one party, is it not true that he necessarily has, therefore, disfavored the other party as a result of his personal beliefs and biases? For every litigant who benefits from the judge's so-called empathy, there is a litigant who loses not on the basis of law but because the judge did not identify with them.

When people are nominated to our Federal bench, we ask them to take a judicial oath before they take office. The oath embodies the time-honored American tradition of blind justice. The oath says this:

> I . . . do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me . . . under the Constitution and laws of the United States, so help me God.

I am pleased to say the Supreme Court has not yet struck down ''so help me God'' in the oath, and hopefully they never will. I think the President's standard for judicial nominees plainly conflicts with that oath.

We have had a big discussion about that, and it is not a little bitty matter. It is not a small matter. Judges take the oath to be impartial. I practiced law in Federal court for many years, and I have always believed and expected that a judge who heard my case would rule on the law fairly and objectively. If I lost and did not have sufficient law or evidence and logic to support my position, I did not expect to prevail. That is the kind of concept that underlies American justice.

Aside from nominee David Hamilton, almost every one of President Obama's nominees, including Justice Sotomayor, has rejected outright the empathy standard. So at first blush, I found Mr. Viken's answer that he believes he fits that standard to be concerning. However, his answers to questions we submitted to him for the record provide maybe a more complete view. This is what he said in his answer in writing:

> A judge's consideration of a case must always be governed by impartiality, evenhandedness, attention to the facts presented by the parties, and respect for established law. Empathy is a personal characteristic which may assist a judge in analyzing the human circumstances which bring people before the court. But the law and not the personal experiences of jurists is the path to justice in considering each case.

I think that is OK. I am not sure how you can have any empathy—empathy is a personal characteristic, maybe? I would hate to disagree with the President who nominated me, but that is a pretty good statement overall.

He also stated he believes that, ''The role of a Federal district judge encompasses diligent legal scholarship''—that is true—''a strong work ethic''—true—''impartial and dispassionate consideration of proven facts and reasoned legal arguments, fidelity to binding and persuasive precedent, and respect for all who appear before the court.''

I think that is good statement. I think if he will conduct himself on the bench according to those standards he will do well. And I believe he will.

I am glad to see he is an honors graduate, but he didn't go to some of these schools, Senator JOHNSON, he went to school in South Dakota; he has practiced law before judges over the years, a lot of practice; and in the course of that, you learn that judges really do—the good judges—consistently try to reach the right dispassionate result.

I think he may have made some statements about empathy that are not perfect, but my judgment is that he has been in the courtroom and he has been before good judges. I am hopeful he is going to be a very good judge.

We will see. I think the issues become even more problematic when someone is nominated for the Supreme Court or for a circuit court because those higher courts seem to be the ones who feel less compunction in allowing their personal views to influence cases. Because this nominee is nominated to a seat on the district court and is confined not only by the U.S. Supreme Court but also by his circuit, the circuit precedent, and because he stated he believes the role of a judge entails the impartial and dispassionate consideration of proven facts and reasoned

legal arguments, fidelity to binding and persuasive precedent, I would certainly give him the benefit of doubt and vote in favor of his nomination. I am hopeful he will follow through on those statements and will interpret the law as written, refraining from imposing personal views in his decision and will basically follow the oath to uphold the Constitution, first and foremost. Even if he didn't like it, he should uphold it.

In closing, I would like to quote from an essay by the former chairman of the Judiciary Committee, Senator HATCH, which was published on Constitution Day. He said this:

> The Constitution—its words and their meaning—was established by the people, can only be changed by the people, and is sacredly obligatory upon all government, including judges. That is why in the debate on judicial selection is really a debate over judicial power. It is a debate over whether the Constitution controls judges or judges control the Constitution; over what the Constitution really is, with nothing less than liberty itself at stake.

I think that is an eloquent statement of the role of a judge, and why at its most base level, policy in a democracy must be set by the elected branches who are accountable to the people.

Judges are supposed to be neutral arbiters of the law, deciding a case based on the law and facts, without allowing their personal, political, or ideological views or biases to enter into the decision-making process. That is why they put on a robe, to suggest their impartiality. That is why they take the oath I quoted from. And that is the key ingredient of our legal system, the greatest legal system the world has ever known.

I yield the floor.

The PRESIDING OFFICER (Mr. LAUTENBERG.) Who yields time? If no one yields time, time will be divided equally.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Viken nomination is the pending question.

Mr. LEAHY. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The chairman has 17½ minutes remaining, and 5½ remains with the vice chairman.

Mr. LEAHY. Mr. President, we are considering the nomination of Jeffrey Viken for a lifetime appointment to the U.S. District Court for the District of South Dakota.

President Obama nominated Mr. Viken with the bipartisan support of both Senators from South Dakota, Senator JOHNSON and Senator THUNE. Mr. JOHNSON, the distinguished senior Senator from South Dakota spoke just a moment ago about his strong support for this nominee.

Even though we are almost at the last day of September, this is only the first Senate confirmation for a Federal district court judge, and the first to fill 1 of 74 current Federal trial court vacancies.

There are more than 90 current vacancies throughout the Federal judiciary, and we are soon going to be at near record levels. I accommodated the Ranking Member and other Republicans on the Judiciary Committee by postponing a hearing on Mr. Viken's nomination while we considered the recent Supreme Court nomination, or his nomination would have come to the full Senate earlier. But I am pleased that the committee unanimously reported the nomination at the beginning of this month by a voice vote. I think that the vote tonight, I can virtually guarantee you, will be an overwhelmingly positive vote. I hope it is a sign that we might finally, finally start making some progress on judicial nominations, and do it expeditiously.

The Senate has to do a better job of restoring our tradition of regularly considering qualified, noncontroversial nominees to fill vacancies on the Federal bench without needless and harmful delays.

As I look around this Chamber, I believe I have been here longer than anybody else who is presently on the floor. I saw my distinguished colleague Senator INOUYE step off the floor, who has served here longer than I have. But I have been here 35 years. I have been here with both Republican and Democratic Presidents. I have never seen a situation where there is this kind of slow walking of nominations. We have got to go back to the way we have traditionally done it for the good of the country.

I was briefly chairman of the Judiciary Committee during President Bush's first term. And even though we had the unfortunate experience of 61 of President Clinton's nominations being pocket filibustered by a then-Republican majority, when I came in during that less than a year and a half, we confirmed 100 of President Bush's judicial nominees. I think it is an all-time record in speed in getting nominees through. That was by a Democratic majority with a Republican President.

I do want to thank the Committee's ranking member, Senator SESSIONS. I see Senator SESSIONS on the floor. I do want to thank him. I had, as I said, agreed to hold back this nominee, the Viken nomination, because of the nomination for Sotomayor, to give time to prepare. But I do want to thank him. After we confirmed Judge Sotomayor to be a Justice on the U.S. Supreme Court, we moved quickly Mr. Viken's nomination through the committee at our business meeting on September 10 without an unnecessary holdover period. Unfortunately, now that it has been on the Senate Executive Calendar, it still has taken 2½ weeks to schedule Senate approval of a noncontroversial nominee who is probably going to be unanimously confirmed, and should be.

Mr. Viken has a wide range of experience. He has been both prosecutor and defender. He is currently the Federal Defender for the combined districts of North Dakota and South Dakota. It is not just the population, but for those of us who come from New England, the area covered in these districts is enormous.

He served as an Assistant U.S. Attorney and as Acting U.S. Attorney for South Dakota. He spent more than two decades in private practice. His nomination received a rating of ''well qualified,'' from the American Bar Association's Standing Committee on the Federal Judiciary. I urge Senators to give him a strong bipartisan vote, and then do a better job of filling the rising number of judicial vacancies to ensure that justice is not delayed or denied to any American because of overburdened courts.

I hope instead of withholding consent and threatening filibusters of President Obama's judicial nominees, the other side would work together to treat his nominees fairly, as I did with President Bush's nominees. I point out, by this time in President Bush's first term, we had already confirmed six of his nominations to the Federal circuit and district courts. Now, nine months into President Obama's first term, we have confirmed only one of his lower court nominees, despite the fact that President Obama made his first nomination two months earlier than President Bush did.

We can do better. It is not just that the Senate can do better, the American people deserve better.

After months of delay on September 17, the Senate finally confirmed Judge Gerard Lynch to serve on the Second Circuit. I know that circuit well. It covers the States of Vermont, New York, and Connecticut. Despite the fact that Judge Lynch's nomination was noncontroversial, despite the fact that it was reported out of the committee unanimously with the strong support of both Republican and Democratic members, it still took more than three months after his nomination was reported by the committee for the Senate to confirm it. Delayed. Delayed. Delayed. You would think there might be some controversy. But when we finally voted, the vote was 94 to 3. It was being held up for months because three Members out of 100 Senators wanted to hold it up? That is not being responsible. That is not showing the deference to the judiciary that we should show.

Thirteen nominations reported by the Judiciary Committee remain pending on the Senate's Executive Calendar, seven of them from back before the last recess. Five of these nominations are for appointments to be Assistant Attorneys General at the Department of Justice. Five out of a total of 11 divisions at the Department remain without Senate-confirmed Presidential nominees—the Office of Legal Counsel, the Civil Rights Division, the Tax Division, the Office of Legal Policy, and the Environment and Natural Resources Division.

Just think of that: nominees to head five out of a total of 11 divisions at the

Justice Department are being held by Republicans even though the President has made the nominations and even though they have passed out of the Senate Judiciary Committee. If any Senator does not like a nominee, vote against them. But let's have a vote up or down.

President Obama made his first judicial nomination back in March. I remember it was snowing like mad. He nominated David Hamilton to the Seventh Circuit. That nomination has been on the Executive Calendar since early June, even though it has the support of the senior most Republican in the Senate and one of the most distinguished Senators of either party who has ever served, Senator LUGAR.

The nomination of Judge Andre Davis to the Fourth Circuit was reported by the committee on June 4 by a vote of 16 to 3. We cannot get it considered by the Senate. The nomination of Judge Beverly Baldwin Martin to the Eleventh Circuit was reported unanimously from the committee by voice vote on September 10 and is strongly supported by the two Republican Senators from her State, but still we cannot get it scheduled or considered.

Federal judicial vacancies will soon number 120 unless we start moving forward. I mention that just because we should have a history before us.

At least the one bright spot is moving Mr. Viken's nomination. At a quarter past 5, it is Mr. Viken. By a quarter past 6, it will be Judge Viken. I congratulate him and his family. I remember him coming before our committee—a wonderful person, a wonderful family. I can see why the two Senators—the senior Senator, a Democratic Senator; the junior Senator, a Republican Senator—support him. He should be a judge. But then let's start moving these nominations a little more expeditiously.

Mr. President, what is the time remaining?

The PRESIDING OFFICER. The Senator has 6 minutes 45 seconds remaining, and the minority has 5 1/2 minutes remaining.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be run equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Jeffrey L. Viken, of South Dakota, to be U.S. district judge for the District of South Dakota?

The clerk will call the roll.

The assistant bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 299 Ex.]

YEAS—99

Akaka	Enzi	McConnell
Alexander	Feingold	Menendez
Barrasso	Feinstein	Merkley
Baucus	Franken	Mikulski
Bayh	Gillibrand	Murkowski
Begich	Graham	Murray
Bennet	Grassley	Nelson (NE)
Bennett	Gregg	Nelson (FL)
Bingaman	Hagan	Pryor
Bond	Harkin	Reed
Boxer	Hatch	Reid
Brown	Hutchison	Risch
Brownback	Inhofe	Roberts
Bunning	Inouye	Rockefeller
Burr	Isakson	Sanders
Burris	Johanns	Schumer
Cantwell	Johnson	Sessions
Cardin	Kaufman	Shaheen
Carper	Kerry	Shelby
Casey	Kirk	Snowe
Chambliss	Klobuchar	Specter
Coburn	Kohl	Stabenow
Cochran	Kyl	Tester
Collins	Landrieu	Thune
Conrad	Lautenberg	Udall (CO)
Corker	LeMieux	Udall (NM)
Cornyn	Leahy	Vitter
Crapo	Levin	Voinovich
DeMint	Lieberman	Warner
Dodd	Lincoln	Webb
Dorgan	Lugar	Whitehouse
Durbin	McCain	Wicker
Ensign	McCaskill	Wyden

NOT VOTING—1

Byrd

The nomination was confirmed.

The PRESIDING OFFICER. A motion to reconsider is considered made and laid upon the table. The President shall be notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

The Senator from North Dakota is recognized.

MORNING BUSINESS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

The Senator from Iowa is recognized.

AMERICA'S FOOD CRISIS

Mr. GRASSLEY. Mr. President, I rise today to respond to Bryan Walsh's recent article, published August 31, 2009, in Time Magazine, entitled ''The Real Cost of Cheap Food.''

I ask people to read the article and, as you read it, take into consideration my view of it, which is not very positive. Unfortunately, I see this article as one of the most skewed and one-sided articles I have ever had the opportunity to read, particularly in the mainstream media.

This report was far from objective journalism. It seems to me that when people are talking about America's food crisis and how to fix it, it ought to be very intellectually accurate.

Before outlining the numerous factual errors the author presents in his article, I will mention that I support organic and sustainable agriculture. In fact, Norman Borlaug, father of the green revolution, from Iowa, is credited with creating a sustainable agricultural system decades ago. And as you may know, the Nobel Peace Prize winner of 1970, Norman Borlaug—the person I just referred to—recently passed away at the age of 95.

This article refers to the Niman Ranch. What Niman Ranch and other organic farmers across Iowa and our Nation are doing is to be commended. These producers are providing additional choices to consumers and creating highly profitable small farms which can help sustain rural communities. In fact, the National Agriculture Statistics Service reports that in 2007, 566 organic farms were located in my State of Iowa.

That being said, I am disappointed that an information source, such as I referred to by Time magazine, by the author, Mr. Walsh—previously Time magazine was known as a news magazine—has resorted to an inaccurate, incomplete, and unfair reflection of family farmers—I emphasize the word ''family'' in connection with farmers—from across the United States. So I will take a few minutes on the Senate floor to refute a few main points this author has made.

First, I wish to discuss how our Nation's farmers are stewards of our land, protecting and caring for their livestock and our environment.

Second, I wish to address population growth and the growing demands to produce safe and affordable food.

Finally, I will address how both organic agriculture and conventional agriculture serve complementary needs and can coexist in harmony.

As everybody in this body knows, I have been a family farmer all my life. Of course, I have to give credit to my son Robin for doing most of the work on the farm and a grandson in that farming operation. One thing you find out as a grandfather, when you have a grandson in a farming operation, is that grandfathers are not quite as important as they used to be.

My son Robin and I crop share our land, and we have taken great pride over the years in both caring for our livestock and conserving our natural

resources, while producing bountiful corn and soybean harvests. We are not unlike tens of thousands of other farmers across Iowa and this country whose livelihoods depend on taking care of our soil, water, and animals.

I give credit to the new occupant of the Presiding Officer's chair, Senator TESTER from Montana, for being another family farmer, as well, and being a good caretaker of the environment.

With final passage of the Food Conservation and Energy Act of 2008, also known as the farm bill, Congress made one of the largest commitments to conservation this Nation has ever seen. An additional $6 billion in new money was added for working lands programs, such as the Conservation Stewardship Program, the Wetlands Reserve Program, and the Farmland Protection Program.

Even on my own farm, we use no till for our beans, minimal tillage for our corn, and we put in wetlands, a waterway and a grass strip, even though we have mostly flat farmland. Robin and I are required to do this. We do it because we know, as stewards of our environment, our farm will benefit in the long run. In other words, it is economically good to be good stewards of the land. It puts money in your pocket. We will be able to then, in the final analysis, pass the operation down to our grandchildren and great-grandchildren.

That is one of the main points the author of the Time article, Mr. Walsh, totally misses. He basically demonizes production agriculture. Mr. Walsh implies that the only family farmers in our country are those who live on 30 acres of farmland. But nothing could be further from the truth. Family farmers can operate small farms, but they can also operate large farms. If given the opportunity, they want to be able to pass that farm on to future generations of the family.

It makes absolutely no sense to imply that these producers would purposely deplete our resources for a quick buck. There has never been a quick buck in farming, but it can provide, over a lifetime, a rewarding and sustainable lifestyle.

I am going to use three charts during my presentation. The first one is going to be used to refute some of the accusations that have been made.

Producers around the United States continue to become more and more efficient in their production practices. This chart shows that in the last 25 years, we have been able to produce more bushels of corn with less fertilizer. Now get this. Everybody thinks the commercial and family farmers are pouring on the fertilizer without any care whatsoever about the environment to produce, produce, produce. But that does not make you money, and particularly in recent years with the high increase in the price of phosphorous, potassium, and especially nitrogen, this is absolutely the wrong course to go if you are a farmer who thinks pouring more fertilizer on is going to make you more money.

What we show here is, in the last 25 years, we have been able to produce more corn with even less fertilizer. We can see it in the downward trends of nitrogen, phosphate, and potash. We use U.S. Department of Agriculture data compiled by the Fertilizer Institute that nitrogen, phosphate, and potash efficiency is growing in corn production.

To put it another way, we are growing more bushels of corn per pound of nutrient applied. This is in direct contradiction to the impression that Time magazine author Mr. Walsh makes with his statements.

We know the hypoxia is partly a natural phenomenon, but scientists generally agree that nitrates from agriculture and other manmade factors contribute to it. When the hypoxia zone forms—and most of the time we talk about this in the Gulf of Mexico—it does, in fact, displace fish. But it is particularly unfair to try to quantify impacts on the fishing industry because there is not sufficient data to back up that claim. Technology has allowed farmers to apply the exact amount of fertilizer in the right way so there is not excess.

However, even in organic farming, which the author seems to hold in the highest esteem, it uses manure from animals for fertilizer which also contains nitrogen. Soil naturally contains nitrogen that under certain circumstances of too much rain or too much moisture in the ground can eventually get into our streams. That is true whether it is from natural fertilizer or whether it is from commercial fertilizer.

Farmers for years have been employing conservation practices such as no till, buffer strips, and wetlands, just like I have on my farm, to prevent soil erosion and to keep runoff from going directly into the waterway. I anticipate, especially under this new farm bill, that these practices will grow.

In addition, research is starting to shift on hypoxia issues in regard to the Gulf of Mexico. There is increasing recognition that causes of hypoxia relate strongly to manmade alteration of the entire system, including channelization of the Mississippi, reversal of the Atchafalaya River in Alabama, and extreme loss of wetlands and barrier islands that filter nutrients and protect against storm surges, not solely nutrient issues, as this author would imply.

The U.S. Environmental Protection Agency, the EPA, Science Advisory Board has a hypoxia report out indicating that 22 percent of the nitrogen and 34 percent of the phosphorous loads can be attributed to point source rather than agriculture, as far as the hypoxia problem in the Gulf of Mexico is concerned.

In addition, the Environmental Protection Agency estimates that over 2 trillion gallons of untreated combined sewer overflow run into our Nation's waterways each year, and the Army Corps of Engineers' projects dump millions of yards of nutrient-rich soil into the Missouri and other rivers for habitat restoration purposes that also contribute.

These types of dredging projects in the Missouri River floodplain alone may represent as much as 8 percent of the spring's total phosphorous discharge, leading to problems in the Gulf of Mexico.

Technology in corn production in the United States over the last 100 years has been remarkable. From about 1860 to 1930, corn averaged just about 25 bushels per acre. Not until the 1950s through 1980s, when corn breeders began using double-cross and single-cross technology, did we see these great advances in yields of corn.

Just in the last 10 years, we have seen increased use of biotechnology which has provided yields over 150 bushels per acre. This author, Mr. Walsh, clearly views biotechnology as a bad thing when, in fact, traits such as drought resistance and nutrient-use efficiency are actually improving corn's performance with less inputs, as demonstrated by this chart.

Many of our technology companies are expecting their yield trends to exceed 300 bushels per acre in coming years. For someone such as me who has been farming for 50 years, it is almost unimaginable, but exciting at the same time, to have these projected yields we are hearing.

I wish to turn to another chart now. It deals with another issue that is very important for us to understand when we are talking about efficiency of agriculture and reducing pollution. In fact, in 1915, we used 90 million acres—in comparison to about 90 million acres, I think it is more like 87 million acres this year of corn being produced, or 2 years ago, 93 million acres of corn being produced. I am referring to 90 million acres in this picture. In 1915, 90 million acres of cropland in America were simply used to fuel our agricultural production.

So let's get it straight. It took 90 million acres of crops just to feed all the horses and all the mules that provided the work and the energy on our agricultural land before tractors were invented.

If you add up all the land in the United States being used to produce corn, wheat, and soybeans, it is about 224 million acres today. So less than 100 years ago, we would have been using nearly half the acres in the United States just to feed the draft animals that produced the power to till the soil and to produce those 25 bushels of corn per acre compared to the 150-some bushels per acre now that we will have in the United States this year of corn production.

By 2050, it is estimated that the world's population will exceed 9.3 billion people, compared to 6 billion people now. As the world demand for nutrient-rich food and protein continues to grow as both income levels and populations grow in developing nations,

America's farmers are ready to answer that call to help feed the increasing number of people around the world, and, most people would tell you today, not by putting more land into production but by getting more from each acre of land as that productivity and yield increase very dramatically, as it has in the past and will continue to into the future.

Mr. Walsh of Time magazine attacks animal agriculture throughout this article. His theme is that if an animal doesn't roam free on the western prairie and eat grass, it simply couldn't be healthy or safe to eat. Mr. Walsh cites the Pew Commission on Industrial Farm Animal Production in his analysis of why animals treated with antibiotics produce meat unsafe to eat. However, the American Veterinary Medical Association responded to the Pew report with a lengthy report of its own, which Mr. Walsh conveniently fails to mention, perhaps because the American Veterinary Medicine Association study said:

> A scientific human/animal nexus, connecting antimicrobial treatments in animals with food-borne or environmentally contracted human disease, has not been proven.

Livestock producers take very seriously their responsibility to provide safe and abundant food to the general public. Dairy, poultry, and livestock farmers have made a voluntary commitment to using antibiotics responsibly. By developing responsible-use guidelines, these industries have proactively taken steps to safeguard both human and animal health, and Mr. Walsh makes no mention of that.

On issue after issue, I have worked on my main priority: that the policy decisions we make must be based on sound science and not on political ideology. We have seen studies that indicate that the risk of foodborne bacteria on meat increases when antibiotics that help suppress animal disease are removed, actually making our food less safe to eat. Does Mr. Walsh take that into consideration?

We only have to turn to our neighbor across the Atlantic to see how a ban on antibiotics has played out. The European Union made a decision to phase out the use of antibiotics as growth promoters over 15 years ago, and in 1998 Denmark instituted a full voluntary ban, which in 2000 became mandatory. After the ban was implemented in 1999, pork producers saw an immediate increase in piglet mortality and post-weaning diarrhea.

Dr. Scott Hurd, a former U.S. Department of Agriculture Deputy Under Secretary for Food and Safety and professor at Iowa State University College of Veterinary Medicine, released a study which shows that when pigs have been sick during growth, they have a greater presence of food-safety pathogens on their carcasses when slaughtered.

I want to refer to what went on in Denmark with my third and last chart—the effects of banning antibiotics—and we have a Danish model here. It doesn't project very good healthy animal agriculture or safety for the consuming public. If this ban had resulted in improvements to public health—in other words, the ban the European Union put on antibiotics, and particularly in Denmark—suffering consequences such as piglet mortality would make sense. But the science does not back up that positive improvement in public health has occurred as a result of the Denmark ban. In fact, in 2002 the World Health Organization released a study on antimicrobial resistance and could find no public health benefit from the Denmark ban. It is true that overall use of antibiotics in Denmark has declined, but there has been a significant increase in the use of therapeutic antibiotics which are used to treat and control diseases. I think an interesting statistic is that in 2009 the use of therapeutic antibiotics in Danish pigs is greater than what was used to prevent the disease and to promote growth prior to the ban in 1999. So I think it is very easy to see that if you look at the science—and Mr. Walsh conveniently ignores it—the practice in the United States is superior to the practice of the ban in Denmark.

We had a 2009 Iowa State University study estimating that production costs would rise by $6 per pig in the first year of a prohibition if a similar ban were imposed in the United States as it is in Denmark. Over 10 years, the cumulative cost to the U.S. pork industry would exceed $1 billion. This would all be on top of the estimated $4.6 billion U.S. pork producers have lost since September 2007 due to a perfect storm of events within that industry.

The author, Mr. Walsh, also points to recent recalls in nuts, fruits, and vegetables as evidence that conventional agriculture is harmful and unsafe. What Mr. Walsh chooses to ignore is that salmonella and e. coli are naturally occurring organisms that, with proper handling, processing, and cooking, can be minimized or even eliminated. Organic agriculture is not somehow exempt from being affected by these bacteria, as Mr. Walsh might want us to believe.

In fact, one of the main challenges within our food safety system has been the perpetual underfunding of the Food and Drug Administration. I hope the Senate will be able to undertake comprehensive food safety reform yet this year and give very serious consideration and attention to the funding deficiencies of that agency.

American consumers demand not only a safe and abundant food supply but also an affordable selection to feed their families nutritious and healthy food. The author fails to recognize that personal choice is part of that equation. Ask any American consumer. While less than 1 percent of agriculture is farmed organically, as he points out, a simple economics lesson would tell us that supply and demand are in direct relationship to one another.

In 2008, Americans spent 9.6 percent of their disposable personal income on food expenditures. This has steadily decreased since the late 1920s, when nearly 24 percent of our income was spent for food intake. Our consumers have demanded an affordable food supply, and our agricultural industry has answered that call. Other nations with less developed agricultural industries than the United States spend anywhere from 12 percent to 45 percent of their income on food.

At the same time producers have become more efficient and are providing U.S. consumers with lower food costs, the farm share being retained by the producer—in other words, the family farmer—has been decreasing. For example, in the years 2000 to 2006, the farm value share ranged from 5 to 6 percent for cereals and bakery products compared to what is being paid at the retail level. Costs in packaging, processing, and transportation account for most of the cost at the grocery level. Conventional agricultural producers are not getting rich. Instead, they are producing the safest, most abundant, most reasonably priced food in the world for our consumers at a time when their share of the food value is not increasing.

Perhaps Mr. Walsh, the Time author, believes we should be spending a higher percentage of our income on food. However, because of the financial situation our Nation is facing, including families out of work and with lower disposable income, citizens would be outraged if suddenly their food expenditure skyrocketed. The Economic Research Service at the U.S. Department of Agriculture reported that total food expenditures for all food consumed in the United States was $1.165 trillion in 2008, a 3.3-percent increase from the $1.128 trillion in 2007. Prices are naturally rising because of the higher cost to do business, including transportation costs. But do we really think it is feasible to see these prices go even higher so that the author, Mr. Walsh, can further promote what I consider a political agenda? Growing all of our food organically will take more land, cost more money to produce, drive prices up, and ultimately make food even less affordable to those in need.

I appreciate the opportunities organic agriculture has made possible for farmers in my State of Iowa, and I am sure other Senators would say the same for their own States. It has truly allowed our smallest farmers to flourish and receive a premium for their crops and livestock. It has also promoted gardens and has helped us teach our children where their food comes from.

I agree with the author that the gardens of First Lady Michelle Obama and the U.S. Department of Agriculture are bringing more visibility to educating our consumers about where their food comes from. I commend them for highlighting the important issues relating to our health by eating fresh fruits and vegetables.

Organic agriculture and conventional agriculture can coexist. Both will be driven by demand, and both provide important choices for the U.S. consumer. Some consumers will shop for locally grown foods, others will shop for the cost effectiveness due to their tight household budgets.

It is time—it is time—for Time magazine and Mr. Walsh to start being honest with their readers. The next time the magazine wants to run a story that clearly reflects the author's personal views, it should identify that article as such. I expect the next article Time publishes on agriculture to be better researched and to present a more balanced view.

Mr. President, I yield the floor.

TRIBUTE TO DAVID C. PARRISH, JR.

Mr. MCCONNELL. Mr. President. I would like to recognize a courageous Kentuckian, David C. Parrish, Jr., for his induction into the Kentucky Aviation Hall of Fame on October 17, 2009. Sixty-five years ago this past August, Mr. Parrish undertook brave actions during his service as a fighter pilot during World War II. A native of Paris, KY, Mr. Parrish represented the very best in courage, gallantry, and self-sacrifice in defense of this Nation in the skies west of Paris, France. Like many of America's ''greatest generation,'' Mr. Parrish was willing to disregard his own safety for the safety of his fellow airmen and the protection of his country.

Valor and sacrifice are words that describe the nature of Mr. Parrish, and patience would also describe his character. Although he was recommended for the Silver Star in August 1944, lost records and bureaucratic delays meant it would take 60 years for Mr. Parrish's heroism to be officially recognized. It was my deep privilege to work with Mr. Parrish in this effort and to personally present him with his Silver Star in his hometown in 2004. I believe Mr. Parrish's story is a timely reminder of the sacrifices that so many American men and women have made in the name of freedom.

Mr. President, I would like to share with you a retelling of Mr. Parrish's actions in defense of this Nation that earned him the Silver Star and his induction into the Kentucky Aviation Hall of Fame. On August 8, 1944, 1LT David C. Parrish, Jr., was flying in the area of Mortain, France. His flight was part of an eight-plane squadron that became separated from the lead flight while on patrol. Lieutenant Parrish and three others were on their way home when the controller reported 100 enemy fighters flying above him and toward American bombers. His wingman had to fly home because he was low on fuel. Lieutenant Parrish and the remaining two fighters climbed toward the enemy planes.

Lieutenant Parrish was also low on gas and would have normally returned to base, being so outnumbered by enemy fighters. However, recognizing the danger to the friendly bombers, Lieutenant Parrish dove his three fighters into the heart of the enemy formation. The enemy fighters dispersed and Lieutenant Parrish and his fellow airmen gave chase. Lieutenant Parrish pursued one enemy fighter at 4,000 feet and destroyed it. He then turned toward another enemy fighter flying at tree top level and eventually was able to force the enemy pilot to bail out. These pursuits were extremely hazardous, and even more so because Lieutenant Parrish was perilously low on fuel.

It is my great pleasure to recognize Mr. Parrish for the sacrifices and risks he has made for this country, and I would like to congratulate him on his well-deserved induction in the Kentucky Aviation Hall of Fame. He has made Kentucky very proud.

REMEMBERING SENATOR EDWARD M. KENNEDY

Mr. BUNNING. Mr. President, today I am saddened by the death of my colleague from Massachusetts, Senator Edward Kennedy.

Born and raised in Massachusetts, Senator Kennedy dedicated his life to serving his country and the Commonwealth. He enlisted in the U.S. Army in 1951, beginning his long career of public service. Elected in 1962, Senator Kennedy is the third longest serving Senator in the history of the Senate. He served the people of Massachusetts well for 46 years, and I know his family and the people of Massachusetts are proud to call him one of their own.

Senator Kennedy had a long list of accomplishments to show for the people of Massachusetts and the Nation. He was a political icon who served with great distinction and passion for nearly a half century in the U.S. Senate, and whether I agreed with him or not, I always admired the way he fought for the issues he believed in. His leadership in the Senate will be missed and it has truly been an honor serving with him.

Mr. President, Senator Kennedy will be greatly missed. Mary and I give our heartfelt condolences to his wife, Vicki, and the entire Kennedy family.

COMMENDING SENATOR MELQUIADES RAFAEL ''MEL'' MARTINEZ

Mr. BUNNING. Mr. President, today I pay tribute to my distinguished colleague from Florida, Mel Martinez, who retired from the Senate earlier this month.

I have worked with Senator Martinez since he was elected to serve the people of Florida in 2004. He has served his country proudly in several different roles. Senator Martinez also had the distinct honor to serve as the Secretary of Housing and Urban Development in President George W. Bush's Cabinet and as the chairman of the Republican National Committee. In both roles, it was not personal ambition that drove Mel. Rather, it was his passion to make his country a better place to live for his family and for all Americans.

I have also had the privilege of serving on the Senate Banking Committee with Senator Martinez. As a member of this committee, Mel brought a greater understanding and perspective on housing issues facing the Nation than many Senators that have served on this committee. Floridians and all Americans have benefited from his vast experience in this area as well as his dedication to serve for the greater good. A person of this caliber will truly be missed in the United States.

I am honored to know him and to have worked with him. I would like to thank Senator Martinez for his contributions to the Senate and to the country we both love. I wish him and his family the best in all of their future endeavors.

DEPARTMENT OF INTERIOR APPROPRIATIONS

Mr. COBURN. Mr. President, Senator CARPER successfully offered an amendment to this act that would authorize the EPA to conduct a study on black carbon emissions to ''improve global and domestic public health'' and ''to mitigate the climate impacts of black carbon.''

A similar bill, S. 849, was also introduced by Senator CARPER and approved recently by the Senate Committee on the Environment and Public Works.

While I did not object to the purpose of the bill, I did object to the bill because the cost of the study—$2 million according to the Congressional Budget Office—was not offset.

As I wrote in a letter to Minority Leader MCCONNELL and Senator CARPER outlining my objections to this bill, ''At a time when our national debt is greater than $11.6 trillion, we cannot afford to add to this debt that will be inherited by our children and grandchildren. Even our best intentions need to be paid for with offsets from lower priorities or wasteful spending.''

I also requested the opportunity to modify this legislation if no offsets were made.

I intended to offer a second-degree amendment to offset the expected cost increase in spending as a result of the Carper amendment by capping the amount of funds EPA can spend on conference travel. According to EPA, $17.296 million was spent on conference travel in 2006—the last year for which we have records. This amendment would have capped conference travel spending at $15 million, thus assuring that the full cost of the study will be offset.

In the past couple of years, as Americans were tightening their belts and travelling less, EPA was growing its conference budget and travelling more. This is reflected in its annual costs for

conference participation and related expenses, which increased from $10.781 million in fiscal year 2000 to $17.296 million in fiscal year 2006.

Conference attendance for Federal employees in many, if not most, cases is discretionary, meaning that it is up to Federal agencies to determine to what conferences agency employees should go and how many employees should go. Some conferences provide valuable educational or agency-related information in a format unavailable in a normal office setting. Many conferences, by the sponsors' design, are held in locations chosen to attract attendees.

That being said, it is the responsibility of the U.S. Congress and the managers within Federal agencies to exercise due diligence in performing oversight over an area of Federal spending that has cost taxpayers over $2 billion on conferences from 2000–2006. This spending has increased over 95 percent, from over $200 million a year in fiscal year 2000 to almost $400 million a year in fiscal year 2006. In addition to the financial cost of these trips, oversight hearings I held as the chair of the Federal Financial Management Subcommittee highlighted the lost productivity of government employees when they are out of the office on nonessential travel.

The EPA is just one among many Federal agencies that I believe has overspent on nonessential conferences and travel. In my research I found numerous instances where EPA showed questionable judgment in this regard.

In September 2006, EPA sent 23 employees to Paris, France, for the International Society of Exposure Analysis Meeting, at a cost of $56,000. This conference featured a gala dinner cruise on the River Seine and a cast of presenters that consisted primarily of Americans.

The agency's employees attended an annual National Beaches Conference in Niagara Falls, NY. The 2006 conference was attended by at least seven EPA employees, at a cost to taxpayers of $52,500.

One EPA employee attended a December 2006 GSA Small Business Conference in Palm Springs, CA, at a cost of $4,100, with his or her travel costs alone listed at $1,800.

A Cancun, Mexico, meeting attended by two EPA employees cost $4,200, with travel costs listed at $2,900.

A March 2007 Waste-to-Energy Conference in San Juan, Puerto Rico cost taxpayers $48,000 for nine EPA employees and two taxpayer-funded nonemployees to attend.

A 2006 ''Beyond Translation Forum'' sponsored by the EPA in Texas to ''engage the Hispanic community in becoming environmental stewards'' costs $52,100 for the attendance of 20 EPA employees and 85 taxpayer-funded nonemployees.

Over 2 years, EPA also spent $2.6 million in grants and contracts and over $300,000 in travel and related expenses for brownfields conferences in Oregon and Missouri.

EPA spent $235,000 in grants and $25,000 in travel costs for the National Tank Conference in Memphis. Costs included events at BB King's and seeing the Memphis Grizzlies basketball team play.

EPA spent $355,000 in grants and contracts and $167,000 in travel costs for the Community Involvement Conference in Milwaukee.

In February of 2007, EPA spent $150,000 to sponsor the ''Measuring Program Results'' Conference, to which it sent one EPA employee and paid for the attendance of four nonemployees.

Instead of specifically capping the amount EPA could spend on conference travel, Senator CARPER has graciously modified his amendment to transfer $2 million from the EPA's Environmental Programs and Management account to fund this study of black carbon emissions. This EPA account ''provides personnel compensation, benefits, and travel and other administrative expenses for all agency programs.''

It is my hope that this transfer in funds will help EPA better manage the funds it is entrusted with by Congress and limit questionable expenditures and unnecessary conference travel and related expenses.

I am pleased that the Senate has agreed to this offset and hope that Congress can begin to prioritize funds for its priorities with real offsets.

ADDITIONAL STATEMENTS

REMEMBERING JOSEPHINE PEREZ

• Mr. BENNET. Mr. President, on August 28, 2009, Colorado and the Nation lost a champion for justice and equality, Josephine Marie Varela-Perez. Josie, as she was known by all, surmounted the daunting challenges life brought her to become an exemplary voice for minority students in Denver. Her courage and conviction created a better future not only for Denver students but for countless kids across the country.

Josie's humble beginnings never held her back from achieving her dreams. When faced with adversity, she overcame.

School year after school year, Josie would show up on the first day to be counted among her classmates and then return to working in the beet fields, never attending class past the fourth grade. But Josie—a strong believer that education was the key to success and should be available to all children no matter their race or creed—taught herself English and Spanish and earned her GED.

Josie's commitment to education and minority rights thrust her into the center of the civil rights movement as a party to the landmark desegregation case, Keyes, et al v. School District No. 1, Denver, Colorado. She also marched with Cesar Chavez and the United Farm Workers and was a voice for the less fortunate. Her strength and courage in standing up for the rights of minority students and the less fortunate is an inspiration to all.

Josie's strong spirit extended far beyond her activism. Josie worked tirelessly to support her six kids—Ricardo, Patricia, Lou, Carlos, Terry, and Sheila so that they could have the future they deserved.

I join Coloradans and Americans across the country in grieving the loss of this civil rights champion. Josie's legacy will continue to inspire Americans for generations to come.

My thoughts and prayers are with her family.•

RECOGNIZING FIFTY YEARS OF ICBMS

• Mr. CONRAD. Mr. President, I wish today as cochair of the Senate ICBM coalition along with my friend from Wyoming to recognize and pay tribute to 20th Air Force as the Air Force celebrates the 50th anniversary of the first nuclear-tipped ICBM on alert, and to honor the heritage and accomplishments of the ICBM mission and people—past and present—who acquire, develop, operate, maintain, and secure this combat capability for our Nation.

In July 1954, the Air Force established the Western Development Division in response to the growing Soviet missile threat. It developed the first-generation ICBMs—the Titan that is housed in underground silos as well as the above-ground Atlas.

In October 1959, the first alert of a nuclear warhead-equipped Atlas D occurred at Vandenberg Air Force Base, CA. Immediately thereafter, the Air Force started working on a solid-fueled, second-generation ICBM called the Minuteman. Ten Minuteman I ICBMs were already on alert at Malmstrom Air Force Base, MT, by the Cuban Missile Crisis in October 1962. Just three years later, the first-generation ICBMs were replaced with the larger and more accurate Minuteman II.

By January 1970, the Air Force had deployed the Minuteman III. Throughout the 1970s, in response to the Soviet Union's buildup of multiwarhead ICBMs, the Air Force started work on the Peacekeeper. In 1987, 50 Peacekeepers were deployed in existing Minuteman III silos at F.E. Warren Air Force Base, WY. At the height of the Cold War, the Air Force maintained an ICBM fleet of more than 1,200 missiles on alert as a counterforce to the approximately 1,400 Soviet ICBMs poised against the United States.

Currently, the Air Force maintains a fleet of 450 on-alert Minuteman III ICBMs, spanning the missile fields in Colorado, Montana, Nebraska, North Dakota, and Wyoming. In August 2009, the Air Force activated a new major command—Air Force Global Strike Command—committed solely to the nuclear deterrence mission. This December, 20th Air Force and the ICBM

mission will transfer from Air Force Space Command to Air Force Global Strike Command. The pride shared today in the heritage and rich history of the ICBM mission will always be a part of Air Force Space Command's contribution to our national security.

Mr. President, the American people are fortunate to have the dedicated Airmen of 20th Air Force operate, maintain, and secure America's only land-based strategic deterrent 24 hours a day, 7 days a week, 365 days a year. I know my colleagues will join me in congratulating the Air Force on 50 years of the highest commitment in carrying out the ICBM mission.●

ABERDEEN MONUMENT TO FIREFIGHTERS

● Mr. JOHNSON. Mr. President, I rise today to honor a special unveiling of the Aberdeen Monument to Firefighters on October 15, 2009. The handsome bronze, carefully crafted by Aberdeen sculptor Benjamin Victor, is a tribute to the firefighters who put their lives on the line and heroically serve with courage, pride and honor. Fully aware that firefighting is inherently dangerous work, these men and women work day and night to save lives, save property and protect the environment.

Benjamin Victor has crafted a spectacular sculpture to commemorate these heroes. It portrays his passion for expression and detail and his natural ability to create unique and inspiring works of art. Ben, at 26 years old, is the youngest artist ever to have a sculpture in the National Statuary Hall in the U.S. Capitol. Art critics and organizations throughout the country recognize the aesthetic and conceptual integrity of Ben's work. Early on, Aberdeen saw his talent and its citizens are very grateful that he continues to share his talents with their community.

I also want to commend the Aberdeen community for their efforts to make this unveiling possible. Using no tax dollars, the entire funding for this project came from businesses, service clubs, schools, fraternal organizations and individuals in the community who saw the significance of this monument. This contribution by the Aberdeen community and Benjamin Victor will commemorate the important role of our firefighters for generations to come.●

TRIBUTE TO FATHER ROBERTO BALDUCELLI

● Mr. KAUFMAN. Mr. President, today I recognize the extraordinary contributions of a patriarch of the Italian-American community in my home State of Delaware, Father Roberto Balducelli. On Columbus Day, Father Balducelli will be honored by the Columbus Communion Breakfast Committee with its Outstanding Achievement Award.

Father Balducelli's 96 years on this Earth, while a true gift to all he has served, reads like a novel. As a 9-year-old boy in the small town of Castelluccio, Italy, he decided that he wanted to pursue an ecclesiastical education in Rome. In 1929, at the age of 16, he joined the Oblates of St. Francis de Sales. After studying in France and Switzerland, he returned to Italy from September 1939 to March 1946.

During World War II, Father Balducelli helped save Italian Jews from persecution. The young priest recovered the bodies of civilians killed in bombing raids, was injured in one of these attacks, and sheltered refugees from Nazi persecution.

After receiving a passport to come to the United States, Father Balducelli crossed the Atlantic Ocean over the course of 29 days and arrived in New York on April 10, 1946. The young oblate arrived at St. Anthony's of Padua Church in Wilmington soon after and became the church's first Italian priest. In 1959, he became pastor of St. Anthony's.

As a first-rate mason and a licensed contractor in the State of Delaware, Father Balducelli oversaw and helped undertake the renovation of an old public school to meet young Catholic students' educational needs, and he helped establish a new school, called Padua Academy, for girls, as well.

His love of welding helped to build St. Anthony in the Hills in the 1960s, a popular summer retreat and sanctuary for children and their families near Hockessin, DE. On his watch, the parish opened a senior and day care center and expanded the regionally prominent Italian Festival in Delaware. He retired as the church's pastor in 1988.

I am privileged to have known Father Balducelli for many years. I look forward to breaking bread with him at the Columbus Communion Breakfast in Wilmington's Little Italy on the day of his special recognition.

I hope my colleagues will join me in celebrating Father Balducelli's significant accomplishments, which he achieved over the course of a lifetime dedicated to our community. Wilmington and our Italian-American community could not have woven such a fabric of family and strength if it were not for the commitment and foresight of Father Roberto Balducelli.●

NATIONAL HUNTING AND FISHING DAY

● Ms. STABENOW. Mr. President, I am here today in recognition of National Hunting and Fishing Day, which was recognized on September 26. Hunters and anglers contribute significantly to our Nation's economy. More than 1 million hunters and anglers add over $3 billion each year into Michigan's economy alone.

From the very beginning, hunting and fishing have been at the center of Michigan's history and culture. Our two great peninsulas, surrounded by the magnificent Great Lakes, are home to over 8 million acres of public hunting land, tens of thousands of rivers and streams, and some of the best hunting and fishing in the United States. Whether meandering along Hemingway's Fox or Two Hearted Rivers for brook trout and ruffed grouse, or making the annual trip to deer camp with friends and family, Michigan's proud heritage comes with a sense of profound responsibility to protect that legacy for future generations.

We have made some important progress. I have been pleased to spearhead a number of efforts including Federal funding to stop the invasive cormorant from destroying our fisheries. This project has already shown conclusive results in bringing back once-decimated fishing areas. Through my work on the Senate Agriculture Committee, we have invested over $4 billion in new conservation efforts that will protect wildlife habitats and increase access for hunters and anglers across the country. Most recently, the Senate passed $400 million in funding for the Great Lakes Restoration Initiative to clean up the Great Lakes.

While we have made progress, there is more work to be done. I will continue to work for passage of the National Fish Habitat Conservation Act and the Clean Water Restoration Act, which will help preserve Michigan's 36,000 miles of rivers and streams, including over 1,000 miles of blue-ribbon trout streams. I will also continue to work to ensure access to public lands and waterways.

Working together, we can preserve our natural resources so others can enjoy our rich hunting and fishing heritage for generations to come.●

TRIBUTE TO DR. CAROLYN PORCO

● Mr. UDALL of Colorado. Mr. President, today I praise Dr. Carolyn Porco, a professor at the University of Colorado, senior researcher at the Space Science Institute in Boulder, CO, and leader of the imaging team for the Cassini mission. In this last role, she has a front row seat on some of the most exciting scientific discoveries of today coming from the Cassini spacecraft, which for 5 years has been orbiting and studying Saturn and its Moons. I have submitted for the RECORD an article about Dr. Porco from the September 21, 2009, edition of the New York Times.

In Colorado, we are extremely proud of our science and technology enterprise. We have 16 Federal laboratories, top-flight research universities and a vibrant private sector pushing the limits on everything from biomedical research to space exploration. But even in this crowded field, Dr. Porco stands out as an exemplary Colorado scientist. She has repeatedly been recognized as one of the top scientific leaders to watch this century both for her scientific accomplishments and her leadership within the scientific community. As the Times article shows, she

has come a long way from her humble Bronx upbringing.

Thinking about Dr. Porco, I am reminded that great scientists are not born. They are made. They are made through the hard work and determination of the young boy who rejects the stigma that somehow being smart is not cool and the young girl who refuses to take a back seat to any boy. They are made through the guidance and support of countless teachers and mentors who receive far too little credit for the service they give to this country. And perhaps most importantly for this body, they are made through the investments we make in research, development and education. If we want the Carolyn Porcos of the future to be here in the United States—and believe me, we do—we must invest now in our research agencies, and we must have well-paid, high-quality teachers in the classroom.

Dr. Porco is a stellar example of what we can accomplish as individuals and as a nation with focus and a little bit of tenacity. I congratulate her on her accomplishments and well-deserved recognition. I, for one, will be following her progress and expecting many more great things from her in the future.

I ask that the New York Times article to which I referred be printed in the RECORD.

The information follows.

AN ODYSSEY FROM THE BRONX TO SATURN'S RINGS

(By Dennis Overbye)

It is twilight time on Saturn.

Shadows lengthened to stretch thousands of miles across the planet's famous rings this summer as they slowly tilted edge-on to the Sun, which they do every 15 years, casting into sharp relief every bump and wiggle and warp in the buttery and wafer-thin bands that are the solar system's most popular scenic attraction.

From her metaphorical perch on the bridge of the Cassini spacecraft, which has been orbiting Saturn for five years, Carolyn Porco, who heads the camera team, is ecstatic about the view. ''It's another one of those things that make you pinch yourself and say, 'Boy am I lucky to be around now,' '' Dr. Porco said. ''For the first time in 400 years, we're seeing Saturn's rings in three dimensions.''

On Monday, Dr. Porco and the Cassini team released a grand view of the rings in all their shadowed glory, including clumps, spikes, undulations and waves two and a half miles high on the edge of one ring.

''We always knew it would be good; instead, it's been extraordinary,'' Dr. Porco said of the cascade of results that have placed her in a spotlight to which she has become increasingly accustomed. ''I feel I'm on a great human adventure,'' she said.

The work may be carried out by robots, Dr. Porco said, ''but we are all explorers.''

''It's thrilling,'' she added, ''and I want everyone to know how thrilling it is.''

Dr. Porco, 56, a senior researcher at the Space Science Institute in Boulder, Colo., may be the leader of the camera team on the $3.4 billion Cassini mission, an adjunct professor at the University of Colorado and one of Wired magazine's 15 people who should be advising the president. But she is also a proud child of the 1964os who has never let go of the exuberance of that era when President John F. Kennedy ''said that the sky isn't even the limit,'' as she puts it, and ''things were unleashed.''

Her entries on the Cassini imaging Web site echo the spirit of the character Capt. James T. Kirk on ''Star Trek'':

CAPTAIN'S LOG—MARCH 23, 2009

We are almost there. Saturn and we, its companions, have journeyed together now for nearly five years, in a circumnavigation of the outer solar system.

Stanley Kubrick's film ''2001: A Space Odyssey'' is still her favorite movie, and she still loves the Beatles. On a visit to England in 2001, she and her imaging colleagues recreated the album cover picture of the Beatles crossing Abbey Road, with Dr. Porco leading, dressed in white like John Lennon.

Dr. Porco was born and raised in a Bronx family with four brothers she partly credits for her subsequent success in astronomy. ''I'm used to fighting and arguing with males,'' she said.

Her father, an Italian immigrant, drove a bread truck, and her mother kept house. Dr. Porco attended Cardinal Spellman High School, the same school that Justice Sonia Sotomayor of the Supreme Court attended.

She was a studious child and a spiritual seeker—''13 going on 80''—who lived a lot in her head. Later, as a student at the State University of New York at Stony Brook, she said she spent two years as a chanting Buddhist and even went on a two-week pilgrimage to Japan, where she was the majorette in a Buddhist marching band, wearing hot pants. ''Now, THOSE were the days,'' she wrote in an e-mail message.

By then, Dr. Porco was pursuing the future she had glimpsed at age 13 when she saw Saturn through a neighbor's rooftop telescope. As a graduate student at the California Institute of Technolgy, she floundered at first but then got a job helping to analyze data from the two Voyager spacecrafts, which toured the outer planets from Jupiter to Neptune from 1978 to 1989.

It was there, said Peter Goldreich, her thesis advisor, that she demonstrated a knack for picking out important things. Among them was a discovery that mysterious dark spokes in Saturn's ring system were connected to the planet's magnetic field. She did her thesis on aspects of the rings and how they were shaped by the gravity of tiny moonlets.

Dr. Porco also did a lot of dancing, and played a guitar and sang in the Titan Equatorial Band, a pickup group of scientists and science writers named after a feature on Saturn's largest moon, and later for a group in Tucson called the Estrogens. ''Three women and one very brave guy,'' she said.

By the time Voyager passed Neptune in 1989, Dr. Porco was a research associate at the University of Arizona and leading a small team trying to make sense of the thin rings around Neptune.

''She was one of the young rock stars of Voyager,'' said David Grinspoon, of the Southwest Research Institute in Boulder, who was a graduate student at Arizona at the time.

But it had not been an easy climb in the overwhelmingly male and competitive environment of space science. Dr. Porco once described scientists as ''schoolyard toughs.'' She recalled pumping herself up to be an ''alpha male'' before meetings of her ring team.

Even as a graduate student, Dr. Goldreich recalled, Dr. Porco ''was making a deliberate effort to become tough, and she succeeded.''

Dr. Porco found an ally and friend in Carl Sagan, the Cornell astronomer, author and a charter member of the Voyager team, who defended her once when her Voyager colleagues teased her about not being married.

Dr. Porco was subsequently hired as a consultant for the movie ''Contact,'' based on Sagan's novel about a feisty astronomer, Ellie Arroway, who discovers a signal from extraterrestrials.

Although plans fell through for Dr. Porco to meet Jodie Foster, the actress who played Arroway, she did attend a workshop on the script, where she took strong exception to an idea that the character would sleep with her adviser. ''She's a let-it-ripper, isn't she?'' recalled the movie's producer, Lynda Obst. ''She let it rip.''

Voyager, Dr. Porco said, was the time of her life. ''It had all the elements of Homeric legend,'' she said. ''It was a long 12-year odyssey, punctuated by brief episodes of great discovery and conquest. And then it was back in the boat, oars in the water, until years later we reached our next port of call. It was a defining experience for many of us, and certainly for me.''

The chance to channel Dr. Porco's inner Captain Kirk continued with the $3.4 billion Cassini mission, which was launched on a roundabout course toward Saturn in 1997 and arrived in 2004. Being on the imaging team is like standing on the bridge of the spaceship, she said. ''We have the windows,'' she said. ''That's what we're responsible for.''

Dr. Porco was chosen over more senior astronomers to head the Cassini camera team in 1990, one of 12 team leaders for the spacecraft. The job swallowed her life, she said, and required her hard-won toughness. ''Our experiment has been spectacularly successful,'' she said, ''and that would never have happened if I let people roll over me.''

But Dr. Porco said it had all been worthwhile. ''Between my participation in Voyager and my role in Cassini,'' she said, ''when comes the time, I will die a happy and gratified woman.''

One of the most thrilling Cassini moments was in 2004 when the Huygens probe detached from Cassini and landed on Saturn's largest moon, Titan, a strange, frigid world where rocks are made of ice, and rivers and oceans are formed of what Dr. Porco has described as ''paint thinner.''

Last month, astronomers announced that they had detected methane storms on Titan, a cloudy moon that has an atmosphere denser than that of Earth.

They also discovered plumes erupting from the south pole of another Saturn moon, Enceladus, suggesting the presence of underground water and prompting talk about a future mission to cruise through the plumes. ''Should we ever discover that life has arisen twice,'' Dr. Porco said, ''that would be a game-changer.''

The Titan landing, Dr. Porco said in a talk in 2007, should have been celebrated with parades in every major city.

That talk led to another movie adventure. J. J. Abrams, the producer of the television series ''Lost,'' was listening and asked Dr. Porco to consult on his ''Star Trek'' movie. On a visit to the set, she suggested that a scene in which the Starship Enterprise materialized inside clouds be set on Titan. The scene made it onto the cover of Cinefex, a magazine about special effects in films.

In an interview, Mr. Abrams said: ''She helped us feel connected to what Gene Roddenberry had been trying to do. This is our future,'' referring the creator of ''Star Trek.''

Cassini endures, and Dr. Porco is a member of the team for the New Horizons spacecraft, which is scheduled to arrive at Pluto in 2015. But she said she hoped to spend more of her time popularizing science and hopes to write a book about Cassini.

''To my mind,'' Dr. Porco said, ''most people go through life recoiling from its best

parts. They miss the enrichment that just a basic knowledge of the physical world can bring to the most ordinary experiences. It's like there's a pulsating, hidden world, governed by ancient laws and principles, underlying everything around us—from the movements of electrical charges to the motions of the planets—and most people are completely unaware of it.

''To me, that's a shame.''●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and two withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:15 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3607. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

At 4:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the amendment of the Senate to the bill (H.R. 3614) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ENROLLED BILL SIGNED

At 6:11 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3614. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3153. 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; Munitions and Explosives of Concern (MEC); Seal Island, Maine'' ((RIN1625–AA00) (Docket No. USG–2009–0595)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3154. 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; Paddle for Clean Water; San Diego; California'' ((RIN1625–AA00) (Docket No. USG–2009–0383)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3155. 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; F/V Patriot, Massachusetts Bay, Massachusetts'' ((RIN1625–AA00) (Docket No. USG–2009–0707)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3156. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Festivus, Lower Colorado River, Bullhead City, Arizona'' ((RIN1625–AA00) (Docket No. USG–2009–0454)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3157. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Hornblower Cruises Fleet Week Fireworks Display, San Francisco Bay, California'' ((RIN1625–AA00) (Docket No. USG–2009–0631)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3158. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Neptune Deep Water Port, Atlantic Ocean, Boston, Massachusetts'' ((RIN1625–AA00) (Docket No. USG–2009–0644)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3159. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Missouri River, Mile 366.3 to 369.8'' ((RIN1625–AA00) (Docket No. USG–2009–0594)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3160. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Upper Mississippi River, Mile 427.2 to 427.6, Keithsburg, Illinois'' ((RIN1625–AA00) (Docket No. USG–2009–0646)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3161. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sea World Labor Day Fireworks, Mission Bay, California'' ((RIN1625–AA00) (Docket No. USG–2009–0269)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3162. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; BWRC '300' Enduro, Lake Moolvalya, Parker, Arizona'' ((RIN1625–AA00) (Docket No. USG–2008–1180)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3163. 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 Regulation for Marine Events; Choptank River, Cambridge, Maryland'' ((RIN1625–AA08) (Docket No. USG–2009–0749)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3164. 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; Patapsco River, Northwest Harbor, Baltimore, Maryland'' ((RIN1625–AA08) (Docket No. USG–2009–0251)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3165. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Sabine River, Echo, Texas'' ((RIN1625–AA09) (Docket No. USG–2009–0101)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3166. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Definition of Marine Debris for Purposes of the Marine Debris Research, Prevention, and Reduction Act'' ((RIN0648–AV68; RIN1625–AB24) (Docket No. USG–2007–0164)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3167. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations; Port of New York and Vicinity'' ((RIN1625–AA01) (Docket No. USG–2008–0047)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3168. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Shipping; Transportation; Technical, Organizational, and Conforming Amendments'' ((RIN1625–ZA24) (Docket No. USG–2009–0702)) received in the Office of the President of the Senate on September 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3169. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McCauley Propeller Systems Propeller Models B5JFR36C1101/114GCA–0, C5JFR36C1102/L114GCA–0, B5JFR36C1103/114HCA–0, and C5JFR36C1104/L114HCA–0'' ((RIN2120–AA64) (9–17/9–22/25173/NM–24)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3170. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to

law, the report of a rule entitled ''Television Broadcasting Services; Fort Worth, Texas'' (MB Docket No. 09–132) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3171. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Chicago, Illinois'' (MB Docket No. 09–146) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC–3172. A communication from the Chief of the Planning and Regulatory Affairs Branch, Supplemental Foods Programs Division, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''WIC Farmers' Market Nutrition Program (FMNP): Nondiscretionary Provisions of Public Law 108–265, the Child Nutrition and WIC Reauthorization Act of 2004'' (RIN0584–AD74) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3173. 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 ''Tuberculosis in Cattle and Bison; State and Zone Designations; New Mexico'' (Docket No. APHIS–2008–0124) received in the Office of the President of the Senate on September 23, 2009; to the Committee on Agriculture, Nutrition and Forestry.

EC–3174. A communication from the Acting General Counsel of the Department of Defense, transmitting legislative proposals relative to revisions to policy on development and procurement of unmanned systems as received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2009; to the Committee on Armed Services.

EC–3175. A communication from the General Counsel of the Department of Defense, transmitting legislative proposals relative to special purpose entities for utilities systems in support of the realignment of military installations and relocation of military personnel in Guam received in the Office of the President of the Senate on September 16, 2009; to the Committee on Armed Services.

EC–3176. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket ID FEMA–2008–0020; Internal Agency Docket No. FEMA–8091)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–3177. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Operating Fees'' (RIN3133–AD60) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–3178. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Taxonomic Change of Sclerocactus glaucus (Uinta Basin Hookless Cactus), a Threatened Species, to Three Separate Species, Sclerocactus brevispinus (Pariette Cactus), Sclerocactus glaucus (Colorado Hookless Cactus), and Sclerocactus wetlandicus (Uinta Basin Hookless Cactus)'' (RIN1018–AV51) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3179. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds'' ((RIN1018–AV31) (50 CFR Part 20)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3180. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2009–10 Early Season'' ((RIN1018–AW31) (50 CFR Part 20)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3181. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands'' ((RIN1018–AW31) (50 CFR Part 20)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3182. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Early-Season Migratory Bird Hunting Regulations'' ((RIN1018–AW31) (50 CFR Part 20)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3183. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2009–10 Late Season'' ((RIN1018–AW31) (50 CFR Part 20)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3184. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Late-Season Migratory Bird Hunting Regulations'' ((RIN1018–AW31) (50 CFR Part 20)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3185. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Interim Final Determination that Lake and Porter Counties are Exempt from NOx RACT Requirements for Purposes of Staying Sanctions'' (FRL No. 8961–9) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3186. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Mohegan Tribe of Indians of Connecticut'' (FRL No. 8949–8) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3187. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Determination of Clean Data for the 1997 Fine Particulate Matter Standard'' (FRL No. 8962–4) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3188. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Clean Air Interstate Rule'' (FRL No. 8950–9) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3189. A communication from the Deputy Assistant Secretary, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Eagle Permits Take; Necessary to Protect Interests in Particular Localities'' (RIN1018–AV81) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Environment and Public Works.

EC–3190. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier II Issue—Industry Directive on Planning and Examination of Contractual Allowances in the Healthcare Industry No. 2'' ((LMSB–4–0909–036) (Uniform List No. 451.19–02)) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Finance.

EC–3191. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Entry of Certain Cement Products From Mexico Requiring a Commerce Department Import License'' (RIN1505–AC14) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Finance.

EC–3192. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Increase in Certain Personal Duty Exemptions Extended to Returning U.S. Residents'' (RIN1505–AC16) received in the Office of the President of the Senate on September 24, 2009; to the Committee on Finance.

EC–3193. A communication from the Commissioner of Social Security, transmitting the report of proposed legislation relative to naming a building at Social Security headquarter after the late Robert M. Ball; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1451. A bill to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes (Rept. No. 111–82).

By Mr. INOUYE, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution, FY 2010'' (Rept. No. 111–83).

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 Ms. COLLINS:

S. 1722. A bill to extend the temporary suspension of duty on certain rayon staple fibers; to the Committee on Finance.

By Mr. CORKER (for himself, Mr. WARNER, Mr. BENNET, and Ms. KLOBUCHAR):

S. 1723. A bill to authorize the Secretary of the Treasury to delegate management authority over troubled assets purchased under the Troubled Asset Relief Program, to require the establishment of a trust to manage assets of certain designated TARP recipients, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Mr. KYL, Mr. WHITEHOUSE, and Mr. REED):

S. 1724. A bill to establish a competitive grant program in the Department of Justice to be administered by the Bureau of Justice Assistance which shall assist local criminal prosecutors' offices in investigating and prosecuting crimes of real estate fraud.

By Mr. DODD (for himself, Mr. FEINGOLD, Mr. LEAHY, and Mr. MERKLEY):

S. 1725. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to remove retroactive immunity protection for electronic communications service providers that participated in the Terrorist Surveillance Program and for other purposes; to the Committee on the Judiciary.

By Mr. KYL (for himself and Mr. CORNYN):

S. 1726. A bill to reauthorize the expiring intelligence tools of the USA PATRIOT Improvement and Reauthorization Act of 2005 and defend against terrorism through improved classified procedures and criminal law reforms, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 290. A resolution to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen; considered and agreed to.

By Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. LEVIN, Mr. BURR, Mr. KERRY, Mr. DEMINT, Mr. ROBERTS, Mr. THUNE, Mr. ALEXANDER, Mr. MENENDEZ, Mr. BROWNBACK, Mr. BAUCUS, Mr. REID, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. VITTER, Mr. CARDIN, Mr. DURBIN, Mr. JOHNSON, Ms. KLOBUCHAR, Mr. INHOFE, Mr. BEGICH, Mrs. HUTCHISON, Mrs. GILLIBRAND, Mr. CONRAD, Mr. FRANKEN, Mr. JOHANNS, Mr. HATCH, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. BROWN, Mr. GREGG, Mr. SPECTER, Mr. CASEY, Mr. MERKLEY, Mr. DODD, and Mr. RISCH):

S. Res. 291. A resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. Res. 292. A resolution congratulating the Park View All-Star Little League team for winning the 2009 Little League World Series championship; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. INHOFE, Mr. COBURN, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEMIEUX, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 293. A resolution relative to the death of Henry Louis Bellmon, former United States Senator for the State of Oklahoma; considered and agreed to.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Richard Serino, of Massachusetts, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

*Daniel I. Werfel, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

ADDITIONAL COSPONSORS

S. 254

At the request of Mrs. LINCOLN, the name of the Senator from Pennsylvania (Mr. SPECTER) 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. 451

At the request of Ms. COLLINS, the names of the Senator from Indiana (Mr. LUGAR), the Senator from Rhode Island (Mr. REED), the Senator from Texas (Mr. CORNYN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 461

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 607

At the request of Mr. UDALL of Colorado, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 607, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that are subject to ski area permits, and for other purposes.

S. 662

At the request of Mr. CONRAD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 662, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse—midwife services.

S. 669

At the request of Mr. BURR, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 669, a bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

S. 688

At the request of Ms. SNOWE, the names of the Senator from Vermont

(Mr. SANDERS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 688, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 727

At the request of Ms. LANDRIEU, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 727, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

S. 823

At the request of Ms. SNOWE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 823, a bill to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of operating losses, and for other purposes.

S. 831

At the request of Mr. KERRY, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of nonregular service retired pay.

S. 883

At the request of Mr. KERRY, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

S. 1008

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1008, a bill to amend title 10, United States Code, to limit requirements of separation pay, special separation benefits, and voluntary separation incentive from members of the Armed Forces subsequently receiving retired or retainer pay.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor 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. 1085

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1085, a bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes.

S. 1147

At the request of Mr. KOHL, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1147, a bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 1222

At the request of Mrs. LINCOLN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1222, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 1239

At the request of Mr. BINGAMAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1239, a bill to amend section 340B of the Public Health Service Act to revise and expand the drug discount program under that section to improve the provision of discounts on drug purchases for certain safety net providers.

S. 1301

At the request of Mr. MENENDEZ, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1301, a bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

S. 1329

At the request of Mr. KOHL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1329, a bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs.

S. 1340

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1340, a bill to establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

S. 1409

At the request of Mr. KERRY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1409, a bill to expedite the adjudication of employer petitions for aliens with extraordinary artistic ability.

S. 1524

At the request of Mr. KERRY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1524, a bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

S. 1542

At the request of Mr. SCHUMER, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1542, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 1547

At the request of Mr. REED, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1547, a bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

S. 1550

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1550, a bill to ensure that individuals detained by the Department of Homeland Security are treated humanely, provided adequate medical care, and granted certain specified rights.

S. 1569

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1569, a bill to expand our Nation's Advanced Practice Registered Nurse workforce.

S. 1583

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1583, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2014, and for other purposes.

S. 1594

At the request of Mr. LIEBERMAN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1594, a bill to provide safeguards against faulty asylum procedures, to improve conditions of detention for detainees, and for other purposes.

S. 1612

At the request of Mrs. LINCOLN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1612, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock

ownership plans, and for other purposes.

S. 1660

At the request of Ms. KLOBUCHAR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1660, a bill to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 1668

At the request of Mr. BENNET, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1668, a bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and for other purposes.

S. 1672

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1672, a bill to reauthorize the National Oilheat Research Alliance Act of 2000.

S. 1683

At the request of Mr. BENNET, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1694

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1694, a bill to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 1711

At the request of Mr. REID, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1711, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for making homes more water-efficient, for building new water-efficient homes, for public water conservation, and for other purposes.

S.J. RES. 14

At the request of Mr. BROWNBACK, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S.J. Res. 14, a joint resolution to acknowledge a long history of official depredations and ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

S.J. RES. 16

At the request of Mr. DEMINT, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S. RES. 285

At the request of Mr. BENNETT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 285, a resolution supporting the goals and ideals of national cybersecurity awareness month and raising awareness and enhancing the state of cybersecurity in the United States.

AMENDMENT NO. 2555

At the request of Mr. JOHANNS, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 2555 intended to be proposed to H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORKER (for himself, Mr. WARNER, Mr. BENNET, and Ms. KLOBUCHAR):

S. 1723. A bill to authorize the Secretary of the Treasury to delegate management authority over troubled assets purchased under the Troubled Asset Relief Program, to require the establishment of a trust to manage assets of certain designated TARP recipients, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORKER. 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. 1723

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 ''TARP Recipient Ownership Trust Act of 2009''.

SEC. 2. AUTHORITY OF THE SECRETARY OF THE TREASURY TO DELEGATE TARP ASSET MANAGEMENT.

Section 106(b) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5216(b)) is amended by inserting before the period at the end the following: '', and the Secretary may delegate such management authority to a private entity, as the Secretary determines appropriate, with respect to any entity assisted under this Act''.

SEC. 3. CREATION OF MANAGEMENT AUTHORITY FOR DESIGNATED TARP RECIPIENTS.

(a) FEDERAL ASSISTANCE LIMITED.—Notwithstanding any provision of the Emergency Economic Stabilization Act of 2008, or any other provision of law, no funds may be expended under the Troubled Asset Relief Program, or any other provision of that Act, on or after the date of enactment of this Act, until the Secretary transfers all voting, nonvoting, and common equity in any designated TARP recipient to a limited liability company established by the Secretary for such purpose, to be held and managed in trust on behalf of the United States taxpayers.

(b) APPOINTMENT OF TRUSTEES.—

(1) IN GENERAL.—The President shall appoint 3 independent trustees to manage the equity held in the trust, separate and apart from the United States Government.

(2) CRITERIA.—Trustees appointed under this subsection—

(A) may not be elected or appointed Government officials;

(B) shall serve at the pleasure of the President, and may be removed for just cause in violation of their fiduciary responsibilities only; and

(C) shall each be paid at a rate equal to the rate payable for positions at level III of the Executive Schedule under section 5311 of title 5, United States Code.

(c) DUTIES OF TRUST.—Pursuant to protecting the interests and investment of the United States taxpayer, the trust established under this section shall, with the purpose of maximizing the profitability of the designated TARP recipient—

(1) exercise the voting rights of the shares of the taxpayer on all core governance issues;

(2) select the representation on the boards of directors of any designated TARP recipient; and

(3) have a fiduciary duty to the American taxpayer for the maximization of the return on the investment of the taxpayer made under the Emergency Economic Stabilization Act of 2008, in the same manner and to the same extent that any director of an issuer of securities has with respect to its shareholders under the securities laws and all applications of State law.

(d) LIQUIDATION.—

(1) IN GENERAL.—The trustees shall liquidate the trust established under this section, including the assets held by such trust, not later than December 24, 2011, unless—

(A) the trustees submit a report to the Congress that liquidation would not maximize the profitability of the company and the return on investment to the taxpayer; and

(B) within 15 calendar days after the date on which the Congress receives such report, there is enacted into law a joint resolution disapproving the liquidation plan of the Secretary, as described in paragraph (2).

(2) CONTENTS OF JOINT RESOLUTION.—For purposes of this subsection, the term ''joint resolution'' means only a joint resolution—

(A) that is introduced not later than 3 calendar days after the date on which the report referred to in paragraph (1)(A) is received by the Congress;

(B) which does not have a preamble;

(C) the title of which is as follows: ''Joint resolution relating to the disapproval of the liquidation of the TARP management trust''; and

(D) the matter after the resolving clause of which is as follows: ''That Congress disapproves the liquidation of the TARP management trust established under the TARP Recipient Ownership Trust Act of 2009.''.

(3) FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) RECONVENING.—Upon receipt of a report under paragraph (1)(A), the Speaker, if the House would otherwise be adjourned, shall

notify the Members of the House that, pursuant to this subsection, the House shall convene not later than the second calendar day after receipt of such report.

(B) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House not later than 5 calendar days after the date of receipt of the report described in paragraph (1)(A). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after Congress receives the report described in paragraph (1)(A), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(D) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except two hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) FAST TRACK CONSIDERATION IN SENATE.—

(A) RECONVENING.—Upon receipt of a report under paragraph (1)(A), if the Senate has adjourned or recessed for more than 2 days, the majority leader of the Senate, after consultation with the minority leader of the Senate, shall notify the Members of the Senate that, pursuant to this subsection, the Senate shall convene not later than the second calendar day after receipt of such message.

(B) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(C) FLOOR CONSIDERATION.—

(i) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the 4th day after the date on which Congress receives a report of the plan of the Secretary described in paragraph (1)(A) and ending on the 6th day after the date on which Congress receives a report of the plan of the Secretary described in paragraph (1)(A) (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(ii) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(iii) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(i) The joint resolution of the other House shall not be referred to a committee.

(ii) With respect to a joint resolution of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on passage shall be on the joint resolution of the other House.

(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this subsection, the joint resolution of the other House shall be entitled to expedited floor procedures under this subsection.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) CONSIDERATION AFTER PASSAGE.—

(i) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (1)(A).

(ii) VETOES.—If the President vetoes the joint resolution—

(I) the period beginning on the date the President vetoes the joint resolution and ending on the date the Congress receives the veto message with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (1)(A); and

(II) debate on a veto message in the Senate under this subsection shall be 1 hour equally divided between the majority and minority leaders or their designees.

(E) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph, and paragraphs (2), (3), and (4) are enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 4. DEFINITIONS.

As used in this Act—

(1) the term ''designated TARP recipient'' means any entity that has received, or will receive, financial assistance under the Troubled Asset Relief Program or any other provision of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), such that the Federal Government holds or controls, or will hold or control at a future date, not less than a 10 percent ownership stake in the company as a result of such assistance;

(2) the term ''Secretary'' means the Secretary of the Treasury or the designee of the Secretary; and

(3) the terms ''director'', ''issuer'', ''securities'', and ''securities laws'' have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

By Mr. KYL. (for himself and Mr. CORNYN):

S. 1726. A bill to reauthorize the expiring intelligence tools of the USA PATRIOT Improvement and Reauthorization Act of 2005 and defend against terrorism through improved classified procedures and criminal law reforms, and for other purposes; to the Committee on the Judiciary.

Mr. KYL. Mr. President, earlier this month, we paid homage to those who lost their lives in the terrorist attacks on September 11, 2001. Those attacks changed our nation forever, including how we combat the very real and continuing threat of terrorism. One of the most important changes that we made in the wake of September 11 was the enactment of the PATRIOT Act. That legislation, which had strong bipartisan support in the Congress, provided for a number of common sense changes designed to give our national security intelligence community the same tools our police and FBI agents can use against drug dealers and organized crime. Although many of the PATRIOT Act's provisions are now permanent, three critical national security tools—the ''wiretap'' authority contained in Section 206 of the PATRIOT Act; the ''business records'' authority contained in Section 215 of the PATRIOT Act; and the ''lone wolf'' authority contained in Section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004—will expire on December 31 of this year.

The tools in the PATRIOT Act are as necessary today as they were when first enacted. Just this month, the government confirmed that the Foreign Intelligence Surveillance Act of 1978, FISA, which includes PATRIOT Act provisions, was used to build a case against Najibullah Zazi. Although many details remain classified, it appears as if Najibullah Zazi was an al Qaeda associate who was planning to detonate bombs within the U.S.

Similarly, it has been reported that the FBI likely used its roving wiretap and business records authorities—two of the PATRIOT Act's expiring provisions—to thwart a terrorist plot uncovered earlier this year in New York, in which four former convicts who converted to radical Islam plotted to use

explosives to blow up synagogues and shoot down airplanes with surface-to-air missiles.

Those are two high-profile examples from just this year. There are no doubt countless of other instances, not known to the public, where PATRIOT Act authorities have been used by our national security professionals to keep Americans safe. Recognizing the importance of these tools, the Department of Justice has written the Chairman of the Judiciary Committee to urge renewal of the expiring provisions of the PATRIOT Act. In addition, FBI Director Mueller and David Kris, the Assistant Attorney General for the National Security Division, both expressed their strong support for these authorities in testimony before the Judiciary Committee this month.

The reality is that the war on terrorism is not going to sunset. Neither should the tools that our investigators and analysts rely upon to prevent attack. That is why Mr. CORNYN and I are introducing today the USA PATRIOT Reauthorization and Additional Weapons Against Terrorism Act of 2009. This legislation permanently renews the three expiring PATRIOT Act provisions and addresses other critical national security needs.

I. RENEWING THE ROVING WIRETAP AUTHORITY

The roving wiretap authority allows the Government, in certain circumstances, to focus surveillance efforts on monitoring a particular target rather than a particular telephone number. Gone are the days when you used only one phone at home or in the office. Cell phones are ubiquitous. The point is to intercept the calls of a particular person, not a particular phone. Even so, the Government may have such authority only in limited circumstances. It must provide the FISA Court with ''specific facts'' indicating that the ''actions of the target of the application may have the effect of thwarting the identification'' of third parties necessary to accomplish the ordered surveillance. This tool helps ensure that investigators and analysts may overcome a target's efforts to avoid surveillance, for example, rapidly switching cell phone numbers.

As the Department of Justice noted in its September 14, 2009, letter to Chairman LEAHY, the roving wiretap authority has ''proven an important intelligence-gathering tool in a small but significant subset of FISA electronic surveillance orders.'' The Department's letter explains that the authority has been used judiciously—on average, only 22 applications for roving wiretaps have been made per year—and that ''the basic justification offered to Congress in 2001 for the roving authority remains valid today. . . . Any effective surveillance mechanism must incorporate the ability to rapidly address an unanticipated change in the target's communications behavior.''

II. RENEWING THE BUSINESS RECORDS AUTHORITY

The business records authority allows the FISA Court, under appropriate circumstances, to compel the production of needed business records. In its September 14 letter, the Department of Justice expressed its strong support for the business records provision, stating that it ''addresses a gap in intelligence collection authorities and has proven valuable in a number of contexts.'' The Department stated that some of the acquired ''orders were used to support important and highly sensitive intelligence collection operations, of which both Members of the Intelligence Committee and their staffs are aware.'' Although some have questioned the scope and use of this authority, it is important to acknowledge that no one has challenged a business records order in court, even though an explicit right to file such a challenge took effect in 2006. Such authority also exists in at least 300 federal government investigative contexts.

III. RENEWING THE LONE WOLF AUTHORITY

The ''lone wolf'' provision fills a critical intelligence gap in situations where the government can establish that a non-United States person is engaged in international terrorism but cannot yet identify the foreign power or terrorist group to which he belongs. Although this authority has not yet been used, the Department of Justice made clear in its September 14 letter that there are foreseeable situations in which such an authority ''would be the only avenue to effective surveillance.'' The Department stated that ''it is essential to have the tool available for the rare situation in which it is necessary rather than to delay surveillance of a terrorist in the hopes that the necessary links are established.'' Had we had this authority at the time, we could have examined the computer of Zacarias Moussaoui, perhaps gaining enough information to provide some warning of 9/11. Terrorists do not carry membership cards in organizations, but it does not make them any less dangerous.

IV. ADDRESSING OTHER NATIONAL SECURITY NEEDS

In addition to reauthorizing these important national security tools, this legislation responds to several other national security needs. For example, it clarifies what kind of information and disclosures trigger the procedures of the Classified Information Procedures Act, CIPA. This clarification is designed to resolve the difficulties created by the Fourth Circuit's approach in United States v. Moussaoui. The legislation also prohibits individuals from providing material support—for example, providing money to support a suicide bomber's family—to international terrorism efforts. It makes it illegal to conspire to violate the current prohibition on receiving military-type training from a foreign terrorist organization. It prohibits the use, transfer, mass transfer, production, and trafficking of false travel documents. Finally, it ensures that convicted terrorists and sex offenders will not be released pending sentencing or appeal.

These are good, common sense provisions that all members should be able to support. I look forward to working with my colleagues on both sides to ensure that our national security professionals have the tools they need to continue finding and apprehending terrorists before they attack.

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. 1726

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''USA PATRIOT Reauthorization and Additional Weapons Against Terrorism Act of 2009''.

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

Sec. 1. Short title; table of contents.

TITLE I—USA PATRIOT REAUTHORIZATION ACT OF 2009

Sec. 101. Short title.
Sec. 102. USA Patriot Improvement and Reauthorization Act repeal of sunset provisions.
Sec. 103. Repeal of sunset relating to individual terrorists as agents of foreign powers.

TITLE II—CLASSIFIED INFORMATION PROCEDURES REFORM ACT

Sec. 201. Short title.
Sec. 202. Definitions.
Sec. 203. Ex parte authorizations under the Classified Information Procedures Act.
Sec. 204. Application of Classified Information Procedures Act to nondocumentary information.
Sec. 205. Interlocutory appeals under the Classified Information Procedures Act.

TITLE III—ADDITIONAL GOVERNMENT WEAPONS AGAINST TERRORISM ACT

Sec. 301. Short title.
Sec. 302. Prevention and deterrence of material support for terrorist suicide bombings.
Sec. 303. Prohibiting attempts and conspiracies to obtain military-type training from a foreign terrorist organization.
Sec. 304. Prohibiting use of false travel documents.
Sec. 305. Preventing unwarranted release of convicted terrorists and sex offenders pending sentencing or appeal.

TITLE I—USA PATRIOT REAUTHORIZATION ACT OF 2009

SEC. 101. SHORT TITLE.

This title may be cited as the ''USA PATRIOT Reauthorization Act of 2009''.

SEC. 102. USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT REPEAL OF SUNSET PROVISIONS.

Section 102(b) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is repealed.

SEC. 103. REPEAL OF SUNSET RELATING TO INDIVIDUAL TERRORISTS AS AGENTS OF FOREIGN POWERS.

Section 6001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 50 U.S.C. 1801 note) is repealed.

TITLE II—CLASSIFIED INFORMATION PROCEDURES REFORM ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Classified Information Procedures Reform Act of 2009''.

SEC. 202. DEFINITIONS.

(a) IN GENERAL.—Section 1 of the Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) 'Disclosure', as used in this Act—

''(1) means the release, transmittal, or making available of, or providing access to, classified information to any person (including a defendant or counsel for a defendant) during discovery, or to a participant or member of the public at any proceeding; and

''(2) does not include the release, transmittal, or making available of, or providing access to, classified information by the defendant to an attorney representing the defendant in a matter who has received—

''(A) the necessary security clearance to receive the classified information; and

''(B) if the classified information has been designated as sensitive compartmented information or special access program information, any additional required authorization to receive the classified information, .''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 501(3) of the Immigration and Nationality Act (8 U.S.C. 1531(3)) is amended by striking ''section 1(b)'' and inserting ''section 1''.

SEC. 203. EX PARTE AUTHORIZATIONS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.

Section 4 of the Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) in the second sentence—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''authorization in the form of a written statement to be inspected'' and inserting ''authorization, together with any argument in support of that request, in the form of a statement made ex parte and to be considered''; and

(2) in the third sentence—

(A) by striking ''If the court enters an order granting relief following such an ex parte showing, the'' and inserting ''The''; and

(B) inserting '', and the transcript of any argument and any summary of the classified information the defendant seeks to obtain,'' after ''text of the statement of the United States''.

SEC. 204. APPLICATION OF CLASSIFIED INFORMATION PROCEDURES ACT TO NONDOCUMENTARY INFORMATION.

Section 4 of the Classified Information Procedures Act (18 U.S.C. App.), as amended by section 203 of this Act, is amended—

(1) in the section heading, by inserting ''AND ACCESS TO'' after ''OF'';

(2) by inserting ''(a) IN GENERAL.—'' before ''The court, upon''; and

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

''(b) ACCESS TO OTHER CLASSIFIED INFORMATION.—(1) If the defendant seeks access through deposition under the Federal Rules of Criminal Procedure or otherwise to nondocumentary information from a potential witness or other person which the defendant knows or reasonably believes is classified, the defendant shall notify the attorney for the United States and the district court in writing. Such notice shall specify with particularity the classified information sought by the defendant and the legal basis for such access. At a time set by the court, the United States may oppose such access to the classified information.

''(2) If, after consideration of any objection raised by the United States, including any objection asserted on the basis of privilege, the court determines that the defendant is legally entitled to have access to the information specified in a notice made under paragraph (1), the United States may request the substitution of a summary of the classified information or the substitution of a statement admitting relevant facts that the classified information would tend to prove.

''(3) The court shall permit the United States to make an objection to access to classified information under paragraph (1) or a request for a substitution under paragraph (2) in the form of a statement made ex parte and to be considered by the court alone. The entire text of the statement of the United States, and any summary of the classified information the defendant seeks to obtain, shall be sealed and preserved in the records of the court and made available to the appellate court in the event of an appeal.

''(4) A court shall grant the request of the United States to substitute a summary of the classified information or to substitute a statement admitting relevant facts that the classified information would tend to prove under paragraph (2) if the court finds that the summary or statement will provide the defendant with substantially the same ability to make a defense as would disclosure of the specific classified information.

''(5) A defendant may not obtain access to classified information subject to this subsection except as provided in this subsection. Any proceeding, whether by deposition under the Federal Rules of Criminal Procedure or otherwise, in which a defendant seeks to obtain access to classified information subject to this subsection not previously authorized by a court for disclosure under this subsection shall be discontinued or may proceed only as to lines of inquiry not involving the classified information.''.

SEC. 205. INTERLOCUTORY APPEALS UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.

Section 7(a) of the Classified Information Procedures Act (18 U.S.C. App.) is amended by adding the following at the end: ''The right of the United States to appeal under this subsection applies without regard to whether the order appealed from was entered under this Act.''.

TITLE III—ADDITIONAL GOVERNMENT WEAPONS AGAINST TERRORISM ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Additional Government Weapons Against Terrorism Act of 2009''.

SEC. 302. PREVENTION AND DETERRENCE OF MATERIAL SUPPORT FOR TERRORIST SUICIDE BOMBINGS.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''§ 2339E. Providing material support to international terrorism

''(a) DEFINITIONS.—In this section—

''(1) the term 'facility of interstate or foreign commerce' has the meaning given that term in section 1958;

''(2) the term 'material support or resources' has the meaning given that term in section 2339A;

''(3) the term 'perpetrator of an act' includes any person who—

''(A) commits the act;

''(B) aids, abets, counsels, commands, induces, or procures the commission of the act; or

''(C) attempts, plots, or conspires to commit the act; and

''(4) the term 'serious bodily injury' has the meaning given that term in section 1365.

''(b) PROHIBITION.—Whoever, in a circumstance described in subsection (c), provides, or attempts or conspires to provide, material support or resources to the perpetrator of an act of international terrorism, to a family member of the perpetrator of an act of international terrorism, or to any other person, with the intent to facilitate, reward, or encourage that act or other acts of international terrorism, shall be fined under this title, imprisoned not more than 15 years, or both, and, if death results, shall be imprisoned for any term of years or for life.

''(c) JURISDICTIONAL BASES.—A circumstance referred to in this subsection is that—

''(1) the offense occurs in or affects interstate or foreign commerce;

''(2) the offense involves the use of the mails or a facility of interstate or foreign commerce;

''(3) an offender intends to facilitate, reward, or encourage an act of international terrorism that affects interstate or foreign commerce or would have affected interstate or foreign commerce had the act been consummated;

''(4) an offender intends to facilitate, reward, or encourage an act of international terrorism that violates the criminal laws of the United States;

''(5) an offender intends to facilitate, reward, or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of the United States Government;

''(6) an offender intends to facilitate, reward, or encourage an act of international terrorism that occurs in part within the United States and is designed to influence the policy or affect the conduct of a foreign government;

''(7) an offender intends to facilitate, reward, or encourage an act of international terrorism that causes or is designed to cause death or serious bodily injury to a national of the United States while that national is outside the United States, or substantial damage to the property of a legal entity organized under the laws of the United States (including any State, district, commonwealth, territory, or possession of the United States) while that property is outside of the United States;

''(8) the offense occurs in whole or in part within the United States, and an offender intends to facilitate, reward, or encourage an act of international terrorism that is designed to influence the policy or affect the conduct of a foreign government; or

''(9) the offense occurs in whole or in part outside of the United States, and an offender is a national of the United States, a stateless person whose habitual residence is in the United States, or a legal entity organized under the laws of the United States (including any State, district, commonwealth, territory, or possession of the United States).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 113B of title 18, United States Code, is amended by adding at the end the following:

''2339D. Receiving military-type training from a foreign terrorist organization.

''2339E. Providing material support to international terrorism.''.

(2) OTHER AMENDMENT.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended by inserting ''2339E (relating to providing material support to international terrorism),'' before ''or 2340A (relating to torture)''.

SEC. 303. PROHIBITING ATTEMPTS AND CONSPIRACIES TO OBTAIN MILITARY-TYPE TRAINING FROM A FOREIGN TERRORIST ORGANIZATION.

Section 2339D(a) of title 18, United States Code, is amended by inserting ‘‘, or attempts or conspires to do so,’’ after ‘‘foreign terrorist organization’’.

SEC. 304. PROHIBITING USE OF FALSE TRAVEL DOCUMENTS.

(a) IN GENERAL.—Section 1028 of title 18, United States Code, is amended—

(1) in the section heading, by inserting ‘‘**false travel documents,**’’ after ‘‘**identification documents,**’’;

(2) in subsection (a)—

(A) in paragraph (1), by striking ‘‘or a false identification document’’ and inserting ‘‘false identification document, or false travel document’’;

(B) in paragraph (2), by striking ‘‘or a false identification document’’ and inserting ‘‘false identification document, or false travel document’’;

(C) in paragraph (3), by striking ‘‘or false identification documents’’ and inserting ‘‘false identification documents, or false travel documents’’;

(D) in paragraph (5), by inserting ‘‘, false travel document,’’ after ‘‘false identification document’’; and

(E) in paragraph (8), by inserting ‘‘false travel documents,’’ after ‘‘false identification documents,’’;

(3) in subsection (b)—

(A) in paragraph (1)(B), by striking ‘‘or false identification documents’’ and inserting ‘‘false identification documents, or false travel documents’’; and

(B) in paragraph (2)(A)—

(i) by striking ‘‘document,,’’ and inserting ‘‘document,’’; and

(ii) by striking ‘‘or a false identification document’’ and inserting ‘‘a false identification document, or a false travel document’’;

(4) in subsection (c)(3)(B), by inserting ‘‘false travel document,’’ after ‘‘false identification document,’’;

(5) in subsection (d)—

(A) in paragraph (11), by striking ‘‘and’’ at the end;

(B) in paragraph (12), by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following:

‘‘(13) the term ‘false travel document’ means a document issued for the use of a particular, identified individual and of a type intended or commonly accepted for the purposes of passage on a commercial aircraft or mass transportation vehicle, including a ticket or boarding pass, that—

‘‘(A) was not issued by or under the authority of a commercial airline or mass transportation provider, but appears to be issued by or under the authority of a commercial airline or mass transportation provider; or

‘‘(B) was issued by or under the authority of a commercial airline or mass transportation provider, and was subsequently altered for purposes of deceit.’’; and

(6) in subsection (h), by inserting ‘‘false travel documents,’’ after ‘‘identification documents,’’.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by striking the item related to section 1028 and inserting the following:

‘‘1028. Fraud and related activity in connection with identification documents, false travel documents, authentication features, and information.’’.

SEC. 305. PREVENTING UNWARRANTED RELEASE OF CONVICTED TERRORISTS AND SEX OFFENDERS PENDING SENTENCING OR APPEAL.

(a) IN GENERAL.—Section 3145 of title 18, United States Code, is amended by adding at the end the following:

‘‘(d) APPLICATION.—No person shall be eligible for release under subsection (c) based on exceptional reasons if the person is being detained pending sentencing or appeal in a case involving—

‘‘(1) an offense under section 2332b of this title;

‘‘(2) an offense listed in section 2332b(g)(5)(B) of this title for which a maximum term of imprisonment of 10 years or more is prescribed; or

‘‘(3) an offense involving a minor victim under section 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425 of this title.’’.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 290—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED ELEVENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 290

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON ARMED SERVICES: Mr. Levin (Chairman), Mr. Byrd, Mr. Lieberman, Mr. Reed, Mr. Akaka, Mr. Nelson (Florida), Mr. Nelson (Nebraska), Mr. Bayh, Mr. Webb, Mrs. McCaskill, Mr. Udall (Colorado), Mrs. Hagan, Mr. Begich, Mr. Burris, and Mr. Kirk.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS: Mr. Harkin (Chairman), Mr. Dodd, Ms. Mikulski, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Sanders, Mr. Brown, Mr. Casey, Mrs. Hagan, Mr. Merkley, Mr. Franken, and Mr. Bennet.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Lieberman (Chairman), Mr. Levin, Mr. Akaka, Mr. Carper, Mr. Pryor, Ms. Landrieu, Mrs. McCaskill, Mr. Tester, Mr. Burris, and Mr. Kirk.

JOINT ECONOMIC COMMITTEE: Mr. Schumer (Vice Chairman), Mr. Bingaman, Ms. Klobuchar, Mr. Casey, Mr. Webb, and Mr. Warner.

SENATE RESOLUTION 291—EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING AMERICANS TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. LEVIN, Mr. BURR, Mr. KERRY, Mr. DEMINT, Mr. ROBERTS, Mr. THUNE, Mr. ALEXANDER, Mr. MENENDEZ, Mr. BROWNBACK, Mr. BAUCUS, Mr. REID, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. VITTER, Mr. CARDIN, Mr. DURBIN, Mr. JOHNSON, Ms. KLOBUCHAR, Mr. INHOFE, Mr. BEGICH, Mrs. HUTCHISON, Mrs. GILLIBRAND, Mr. CONRAD, Mr. FRANKEN, Mr. JOHANNS, Mr. HATCH, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. BROWN, Mr. GREGG, Mr. SPECTER, Mr. CASEY, Mr. MERKLEY, Mr. DODD, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 291

Whereas there are approximately 510,000 children in the foster care system in the United States, approximately 129,000 of whom are waiting for families to adopt them;

Whereas 61 percent of the children in foster care are age 10 or younger;

Whereas the average length of time a child spends in foster care is over 3 years;

Whereas, for many foster children, the wait for a loving family in which they are nurtured, comforted, and protected seems endless;

Whereas the number of youth who ‘‘age out’’ of foster care by reaching adulthood without being placed in a permanent home has continued to increase since 1998, and more than 26,000 foster youth age out every year;

Whereas every day loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas a 2007 survey conducted by the Dave Thomas Foundation for Adoption demonstrated that though ‘‘Americans overwhelmingly support the concept of adoption, and in particular foster care adoption . . . foster care adoptions have not increased significantly over the past five years’’;

Whereas, while 4 in 10 Americans have considered adoption, a majority of Americans have misperceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 71 percent of those who have considered adoption consider adopting children from foster care above other forms of adoption;

Whereas 45 percent of Americans believe that children enter the foster care system because of juvenile delinquency, when in reality the vast majority of children who have entered the foster care system were victims of neglect, abandonment, or abuse;

Whereas 46 percent of Americans believe that foster care adoption is expensive, when in reality there is no substantial cost for adopting from foster care and financial support is available to adoptive parents after the adoption is finalized;

Whereas both National Adoption Day and National Adoption Month occur in November;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas, since the first National Adoption Day in 2000, more than 25,000 children have joined forever families during National Adoption Day;

Whereas, in 2008, adoptions were finalized for over 4,500 children through more than 325 National Adoption Day events in all 50 States, the District of Columbia, Puerto Rico, and Guam; and

Whereas the President traditionally issues an annual proclamation to declare November as National Adoption Month, and National Adoption Day is on November 21, 2009: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the citizens of the United States to consider adoption during the month of November and all throughout the year.

SENATE RESOLUTION 292—CONGRATULATING THE PARK VIEW ALL-STAR LITTLE LEAGUE TEAM FOR WINNING THE 2009 LITTLE LEAGUE WORLD SERIES CHAMPIONSHIP

Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 292

Whereas on August 30, 2009, the Park View All-Star Little League team, affectionately known as the ''Blue Bombers'', of Chula Vista, California defeated the Kuei-Shan Little League team of Chinese Taipei, by a score of 6–3 to win the 2009 Little League World Series at Williamsport, Pennsylvania, becoming the 2009 Little League World Series champions;

Whereas in their previous game, the Blue Bombers defeated a versatile and dynamic team from San Antonio, Texas, winning 12–2 in 4 innings to become the United States Little League champions;

Whereas the Park View All-Star Little League team is the first San Diego County team to win a Little League World Series championship since 1961 and the first team from California to win the championship since 1993;

Whereas 2009 is the fifth time a Little League World Series champion has been crowned from California and the 31st time a United States team has won the Little League World Series championship;

Whereas the Blue Bombers set the record for most home runs in the Little League World Series, with 19 home runs overall in the tournament, besting the previous record by an incredible 6 home runs;

Whereas the Park View All-Star Little League team is comprised of: Bradley Roberto, Andy Rios, Markus Melin, Nick Conlin, Seth Godfrey, Bulla Graft, Daniel Porras, Jr., Jensen Peterson, Kiko Garcia, Luke Ramirez, Isaiah Armenta, and Oscar Castro;

Whereas the Park View All-Star Little League championship team is coached by Ric Ramirez and managed by Oscar Castro;

Whereas true to the Little League pledge, the Blue Bombers played with heart, dignity, and class and, in a gesture of extraordinary sportsmanship, the Blue Bombers invited the Chinese Taipei team to join them on their victory lap around the field at Williamsport;

Whereas while the Park View All-Star Little League team is made up of 12 all-stars that won the championship, the entire league is made up of more than 400 players and thousands of family members of players, who are all part of this success; and

Whereas the victory by the Park View All-Star Little League team has brought tremendous excitement and pride to the city of Chula Vista, the county of San Diego, the State of California, and the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Park View All-Star Little League team from Chula Vista, California for winning the 2009 Little League World Series championship; and

(2) commends the families, coaches, volunteers, and community of the team, whose untold dedication and countless hours of volunteerism contributed to the team's success on and off the field.

SENATE RESOLUTION 293—RELATIVE TO THE DEATH OF HENRY LOUIS BELLMON, FORMER UNITED STATES SENATOR FOR THE STATE OF OKLAHOMA

Mr. REID (for himself, Mr. MCCONNELL, Mr. INHOFE, Mr. COBURN, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEMIEUX, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, MR. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 293

Whereas Henry Bellmon served as a United States Marine from 1942–1946, where he served as a platoon tank commander in the Pacific theater, and was awarded the Legion of Merit for his service in Saipan and the Silver Star for bravery in action on Iwo Jima;

Whereas Henry Bellmon served as a Major in the Marine Corps Reserve until 1954;

Whereas Henry Bellmon served two nonconsecutive terms as governor of the State of Oklahoma from 1963–1967, when he was elected as the state's first Republican governor, and from 1987–1991; and

Whereas Henry Bellmon served the people of Oklahoma with distinction for 12 years in the United States Senate from 1969–1981;

Resolved, that the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Henry Bellmon, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Henry Bellmon.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2558. Mr. MCCAIN proposed an amendment to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

SA 2559. Mr. SANDERS (for himself, Mr. BYRD, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2560. Mr. MCCAIN (for himself, Mr. FEINGOLD, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2561. Mr. CASEY submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2562. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2563. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2564. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2565. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2566. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2567. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2568. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2569. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2570. Mrs. FEINSTEIN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2571. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2572. Mr. DODD (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2573. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2574. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

SA 2575. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2558. Mr. MCCAIN proposed an amendment to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) REDUCTION OF AIRCRAFT PROCUREMENT, AIR FORCE, FOR EXCESS AMOUNTS FOR C–17 AIRCRAFT.—The amount appropriated by title III under the heading ''AIRCRAFT PROCUREMENT, AIR FORCE'' is hereby reduced by $2,500,000,000, the amount equal to the amount by which the amount available under that heading for the procurement of C–17 aircraft exceeds the amount requested by the President in the budget for the Department of Defense for fiscal year 2010 for the procurement of such aircraft, with the amount of the reduction to be allocated to amounts otherwise available for the procurement of such aircraft.

(b) AVAILABILITY FOR OPERATION AND MAINTENANCE.—The amount appropriated by title II for Operation and Maintenance is hereby increased by $2,438,403,000, in accordance with amounts requested by the President in the budget for the Department of Defense for fiscal year 2010.

(c) AVAILABILITY FOR OPERATION AND MAINTENANCE, ARMY, FOR OVERSEAS CONTINGENCY OPERATIONS.—The amount appropriated by title IX under the heading ''OPERATION AND MAINTENANCE, ARMY'', is hereby increased by $61,597,000.

SA 2559. Mr. SANDERS (for himself, Mr. BYRD, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', $12,000,000 shall be available for the peer-reviewed Gulf War Illness Research Program of the Army run by Congressionally Directed Medical Research Programs.

SA 2560. Mr. MCCAIN (for himself, Mr. FEINGOLD, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Any specific project contained in the Joint Explanatory statement accompanying this Act that is considered a congressional earmark for purposes of clause 9 of rule XXI of the Rules of the House of Representatives or a congressionally directed spending item as defined in rule XLIV of the Standing Rules of the Senate, when intended to be awarded to a for-profit entity, shall be awarded under full and open competition.

SA 2561. Mr. CASEY submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTION OF CONTRACTS UNDER LOGCAP.—None of the funds appropriated or otherwise made available by this Act may be obligated or expended for the execution of a contract under the Logistics Civil Augmentation Program (LOGCAP) unless the Secretary of the Army determines that the contract explicitly requires the contractor to inspect and immediately correct deficiencies that present an imminent threat of death or serious bodily injury so as to ensure compliance with the United States National Electric Code in work under the contract.

(b) WAIVER.—The Secretary of the Army may waive the applicability of the limitation in subsection (a) to any contract if the Secretary certifies in writing to Congress that—

(1) the waiver is necessary for the provision of essential services to troops in the field; or

(2) the work under such contract does not present an imminent threat of death or serious bodily injury.

SA 2562. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

SEC. 8104. (a) It is the sense of Congress that—

(1) the Nevada Test Site of the National Nuclear Security Administration can play an effective and essential role in developing and demonstrating—

(A) innovative and effective methods for treaty verification and the detection of nuclear weapons and other materials; and

(B) related threat reduction technologies; and

(2) the Administrator for Nuclear Security should expand the mission of the Nevada Test Site to carry out the role described in paragraph (1), including by—

(A) fully utilizing the inherent capabilities and uniquely secure location of the Site;

(B) continuing to support the Nation's nuclear weapons program and other national security programs; and

(C) renaming the Site to reflect the expanded mission of the Site.

(b) Not later than one year after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a plan for improving the infrastructure of the Nevada Test Site of the National Nuclear Security Administration—

(1) to fulfill the expanded mission of the Site described in subsection (a); and

(2) to make the Site available to support the threat reduction programs of the entire national security community, including threat reduction programs of the National Nuclear Security Administration, the Defense Threat Reduction Agency, the Department of Homeland Security, and other agencies as appropriate.

SA 2563. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

SA 2564. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 239, beginning on line 21, strike ''the total amount'' and all that follows through ''$236,000,000'' and insert ''the total amount appropriated in title III of this Act is hereby reduced by $322,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $530,000''.

SA 2565. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 177, line 23, strike ''the modernization'' and all that follows through line 25 and insert the following: ''and the Secretary of Defense, who upon completion of a thorough review, shall provide to each standing committee of Congress a modernization priority assessment for their respective Reserve or National Guard component.''.

SA 2566. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. No amounts appropriated or otherwise made available by this Act may be obligated or expended to fund any congressionally directed spending item included in the report of the Committee on Appropriations of the Senate (Senate Report 111–74) with respect to any account as follows:

(1) Operation and Maintenance, Army.

(2) Operation and Maintenance, Navy.

(3) Operation and Maintenance, Marine Corps.

(4) Operation and Maintenance, Air Force.

(5) Operation and Maintenance, Defense-Wide.

(6) Operation and Maintenance, Army Reserve.

(7) Operation and Maintenance, Navy Reserve.

(8) Operation and Maintenance, Marine Corps Reserve.

(9) Operation and Maintenance, Air Force Reserve.

(10) Operation and Maintenance, Army National Guard

(11) Operation and Maintenance, Air National Guard.

SA 2567. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. No amounts appropriated or otherwise made available by this Act may be available for the Center on Climate Change and National Security of the Central Intelligence Agency.

SA 2568. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Of the amounts appropriated or otherwise made available by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' and available for the Office of the Secretary of Defense, up to $250,000 may be available to the Under Secretary of Defense for Policy for the declassification of the nuclear posture review conducted under section 1041 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–262) upon the release of the nuclear posture review to succeed such nuclear posture review.

SA 2569. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 239, beginning on line 21, strike ''the total amount'' and all that follows through ''$236,000,000'' and insert ''the total amount appropriated in title III of this Act is hereby reduced by $322,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $530,000,000''.

SA 2570. Mrs. FEINSTEIN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

SEC. 8104. (a) No funds appropriated or otherwise available by this Act may be obligated or expended to use any cluster munitions unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments; and

(2) the policy applicable to the use of such cluster munitions specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

(b) The President may waive the requirement under subsection (a)(1) if, prior to the use of cluster munitions, the President—

(1) certifies that it is vital to protect the security of the United States; and

(2) not later than 30 days after making such certification, submits to the appropriate congressional committees a report, in classified form if necessary, describing in detail—

(A) the steps that will be taken to protect civilians; and

(B) the failure rate of the cluster munitions that will be used and whether such munitions are fitted with self-destruct or self-deactivation devices.

(c) In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

SA 2571. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) REPORT ON USE OF LIVE PRIMATES IN TRAINING RELATING TO CHEMICAL AND BIOLOGICAL AGENTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a detailed description of the requirements for the use by the Department of Defense of live primates at the United States Army Medical Research Institute of Chemical Defense, and elsewhere, to demonstrate the effects of chemical or biological agents or chemical (such as physostigmine) or biological agent simulants in training programs.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The number of live primates used in the training described in subsection (a).

(2) The average lifespan of primates from the point of introduction into such training programs.

(3) An explanation why the use of primates in such training is more advantageous and realistic than the use of human simulators or other alternatives.

(4) An estimate of the cost of converting from the use of primates to human simulators in such training.

SA 2572. Mr. DODD (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 245, between lines 8 and 9, insert the following:

SEC. 8104. TEMPORARY AUTHORITY FOR MONTHLY SPECIAL PAY FOR MEMBERS OF THE ARMED FORCES SUBJECT TO CONTINUING ACTIVE DUTY OR SERVICE UNDER STOP-LOSS AUTHORITIES.

(a) SPECIAL PAY AUTHORIZED.—The Secretary of the military department concerned may pay monthly special pay to any member of the Armed Forces described in subsection (b) for any month or portion of a month in which the member serves on active duty in the Armed Forces or active status in a reserve component of the Armed Forces, including time served performing pre-deployment and re-integration duty regardless of whether or not such duty was performed by such a member on active duty in the Armed Forces, or has the member's eligibility for retirement from the Armed Forces suspended, as described in that subsection.

(b) COVERED MEMBERS.—A member of the Armed Forces described in this subsection is any member of the Army, Navy, Air Force, or Marine Corps (including a member of a reserve component thereof) who, at any time during the period beginning on September 11, 2001, and ending on June 30, 2011, serves on active duty in the Armed Forces or active status in a reserve component of the Armed Forces, including time served performing pre-deployment and re-integration duty regardless of whether or not such duty was performed by such a member on active duty in the Armed Forces, while the member's enlistment or period of obligated service is extended, or has the member's eligibility for retirement suspended, pursuant to section 123 or 12305 of title 10, United States Code, or any other provision of law (commonly referred to as a ''stop-loss authority'') authorizing the President to extend an enlistment or period of obligated service, or suspend eligibility for retirement, of a member of the uniformed services in time of war or of national emergency declared by Congress or the President.

(c) AMOUNT.—The amount of monthly special pay payable to a member under this section for a month may not exceed $500.

(d) CONSTRUCTION WITH OTHER PAYS.—Monthly special pay payable to a member under this section is in addition to any other amounts payable to the member by law.

(e) FUNDING.—

(1) IN GENERAL.—In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $29,000,000 is hereby appropriated to the Secretary of Defense to carry out this section. Such amount shall be made available to the Secretaries of the military departments only to provide special pay during fiscal year 2010 to members of the Armed Forces described in subsection (b) as provided in this section.

(2) OFFSET.—The amount appropriated or otherwise made available by title II under the heading ''OPERATION AND MAINTENANCE, ARMY'' is hereby reduced by $29,000,000.

SA 2573. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) ADDITIONAL AMOUNT FOR RDTE, DEFENSE-WIDE, FOR INTEGRATED CHEMICAL AND BIOLOGICAL DETECTION SYSTEM.—The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'' is hereby increased by $3,600,000, with

the amount of the increase to be available for the Integrated Chemical and Biological Detection System.

(b) OFFSET.—The amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, ARMY'' is hereby decreased by $3,600,000, with the amount of the decrease to be allocated to amounts available for Installation Processing Node–Phase IIa.

SA 2574. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. The amount appropriated by title III under the heading ''AIRCRAFT PROCUREMENT, AIR FORCE'' is hereby reduced by $2,500,000,000, the amount equal to the amount by which the amount available under that heading for the procurement of C–17 aircraft exceeds the amount requested by the President in the budget for the Department of Defense for fiscal year 2010 for the procurement of such aircraft, with the amount of the reduction to be allocated to amounts otherwise available for the procurement of such aircraft.

SA 2575. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) TESTIMONY BEFORE CONGRESS ON MEETING UNITED STATES OBJECTIVES ON AFGHANISTAN AND PAKISTAN.—The officials specified subsection (b) shall each be made available, by not later than November 15, 2009, to testify in open and closed sessions before the relevant committees of Congress regarding recommendations for additional forces and resources required to achieve the objectives of United States policy with respect to Afghanistan and Pakistan stated pursuant to section 1117(a) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1907).

(b) OFFICIALS.—The officials specified in this subsection are the following:

(1) The Commander of the United States Central Command.

(2) The Commander of the United States European Command and Supreme Allied Command, Europe.

(3) The Commander of United States Forces–Afghanistan.

(4) The United States Ambassador to Afghanistan

NOTICES OF HEARINGS–

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing previously announced for Thursday, October 1, 2009, at 9:45 p.m., is postponed until a later date.

The purpose of the hearing was to receive testimony on Energy and Related Economic Effects of Global Climate Change Legislation.

For further information, please contact Jonathan Black at (202) 224–6722 or Gina Weinstock at (202) 224–5684.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing previously announced before the Subcommittee on Public Lands and Forests on Thursday, October 1, 2009, at 2:30 p.m., is postponed until a later date.

The purpose of the hearing was to receive testimony on managing Federal forests in response to climate change, including for natural resource adaptation and carbon sequestration.

For further information, please contact Scott Miller at (202) 224–5488 or Allison Seyferth at (202) 224–4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 29, 2009, at 2 p.m. to conduct a hearing entitled ''Strengthening and Streamlining Prudential Bank Supervision.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 29, 2009, at 10 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 29, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr INOUYE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, on September 29, 2009, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Body Building Products and Hidden Steroids: Enforcement Barriers.''

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. INOUYE. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 29, 2009, at 10 a.m. to conduct a hearing entitled, ''Improving Transparency and Accessibility of Federal Contracting Databases.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CHILDREN'S HEALTH

Mr. INOUYE. Mr. President, I ask unanimous consent that the Subcommittee on Children's Health of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 29, 2009, at 9:30 a.m. in Dirksen room 406 to hold a hearing entitled, ''Promoting and Improving Children's Health Protections.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BOND. Mr. President, I ask unanimous consent that my military fellow, LTC John Moreth, be granted floor privileges for the duration of the consideration of H.R. 3326 on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I ask unanimous consent that a military fellow in the office of Senator CHRISTOPHER DODD, CPT Lindsay George, be granted floor privileges for the consideration of H.R. 3326, the Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider Calendar Nos. 459, 460, 461, that the nominations be confirmed en bloc, the motions to reconsider be laid on the table en bloc, that no further motions be in order and any statements relating to the nominations be printed in the RECORD as if read; provided further that the President be immediately notified of the Senate's action and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Jenny A. Durkan, of Washington, to be United States Attorney for the Western District of Washington for the term of four years.

Florence T. Nakakuni, of Hawaii, to be United States Attorney for the District of Hawaii for the term of four years.

Deborah K.R. Gilg, of Nebraska, to be United States Attorney for the District of Nebraska for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate returns to legislative session.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 2918

Mr. REID. Mr. President, I ask unanimous consent that on Wednesday, September 30, following a period of morning business, the Senate proceed to consider the conference report to accompany H.R. 2918, the Legislative Branch appropriations; that all debate time until 4:30 be equally divided and controlled between Senators NELSON of Nebraska and Senator MURKOWSKI or their designees; that if points of order are raised, any vote on the motions to waive occur beginning at 4:30 p.m. tomorrow and that no amendments be in order to the motions; I further ask consent that following the disposition of points of order, and if the motions to waive are successful, the Senate then proceed to the adoption of the conference report immediately, with 2 minutes of debate, equally divided, prior to each vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT OF CONFEREES—H.R. 2647

Mr. REID. Mr. President, with respect to the conferees on the Defense authorization measure, I ask unanimous consent that Senators KIRK and LEMIEUX be added to replace the late Senator Kennedy and recently retired Senator Martinez.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENDING BY ONE YEAR THE OPERATION OF RADIO FREE ASIA

REAUTHORIZING THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

Mr. REID. I ask unanimous consent the Foreign Relations Committee be discharged from further consideration of H.R. 3593 and H.R. 2131 en bloc, and the Senate proceed to their immediate consideration en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (H.R. 3593) to amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia, and for other purposes.

A bill (H.R. 2131) to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy

There being no objection, the Senate proceeded to consider the bills.

Mr. REID. Mr. President, I ask unanimous consent the bills be read a third time and passed en bloc, the motions to reconsider be laid on the table en bloc, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3593) was ordered to a third reading, was read the third time, and passed.

The bill (H.R. 2131) was ordered to a third reading, was read the third time, and passed.

CYBERSECURITY AWARENESS MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committees be discharged from further consideration of S. Res. 285, and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 285) supporting the goals and ideals of national cybersecurity awareness month and raising and enhancing the state of cybersecurity in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table en bloc; that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 285) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 285

Whereas the use of the Internet in the United States, to communicate, conduct business, or generate commerce that benefits the overall United States economy, is ubiquitous;

Whereas many people use the Internet in the United States to communicate with family and friends, manage finances and pay bills, access educational opportunities, shop at home, participate in online entertainment and games, and stay informed of news and current events;

Whereas United States small businesses, which employ a significant fraction of the private workforce, increasingly rely on the Internet to manage their businesses, expand their customer reach, and enhance the management of their supply chain;

Whereas nearly all public schools in the United States have Internet access to enhance children's education, with a significant percentage of instructional rooms connected to the Internet to enhance children's education by providing access to educational online content and encouraging self-initiative to discover research resources;

Whereas the number of children who connect to the Internet continues to rise, and teaching children of all ages to become good cyber-citizens through safe, secure, and ethical online behaviors and practices is essential to protect their computer systems and potentially their physical safety;

Whereas the growth and popularity of social networking websites has attracted millions of teenagers, providing access to a range of valuable services, making it all the more important to teach young users how to avoid potential threats like cyber bullies, predators, and identity thieves they may come across while using such services;

Whereas cybersecurity is a critical part of the United States national security and economic security;

Whereas the United States critical infrastructures and economy rely on the secure and reliable operation of information networks to support the United States military, civilian government, energy, telecommunications, financial services, transportation, health care, and emergency response systems;

Whereas Internet users and information infrastructure owners and operators face an increasing threat of malicious crime and fraud attacks through viruses, worms, Trojans, and unwanted programs such as spyware, adware, hacking tools, and password stealers, that are frequent and fast in propagation, are costly to repair, and may disable entire systems;

Whereas millions of records containing personally identifiable information have been lost, stolen, or breached, threatening the security and financial well-being of United States citizens;

Whereas consumers face significant financial and personal privacy losses due to personally identifiable information being more exposed to theft and fraud than ever before;

Whereas national organizations, policymakers, government agencies, private sector companies, nonprofit institutions, schools, academic organizations, consumers, and the media recognize the need to increase awareness of cybersecurity and the need for enhanced cybersecurity in the United States;

Whereas coordination between the numerous Federal agencies involved in cybersecurity efforts is essential to securing the cyber infrastructure of the United States;

Whereas the National Strategy to Secure Cyberspace, published in February 2003, recommends a comprehensive national awareness program to empower all people in the United States, including businesses, the general workforce, and the general population, to secure their own parts of cyberspace;

Whereas the White House's Cyberspace Policy Review, published in May 2009, recommends that the government initiate a national public awareness and education campaign to promote cybersecurity; and

Whereas the National Cyber Security Alliance, the Multi-State Information Sharing and Analysis Center, the Department of Homeland Security, and other organizations working to improve cybersecurity in the United States have designated October 2009 as the sixth annual National Cybersecurity Awareness Month which serves to educate the people of the United States about the importance of cybersecurity: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Cybersecurity Awareness Month, as designated by the National Cyber Security Alliance, the Multi-State Information Sharing and Analysis Center, the Department of Homeland Security, and other organizations working to improve cybersecurity in the United States;

(2) continues to work with Federal agencies, businesses, educational institutions, and other organizations to enhance the state of cybersecurity in the United States; and

(3) congratulates the National Cyber Security Alliance, the Multi-State Information Sharing and Analysis Center, the Department of Homeland Security, and other organizations working to improve cybersecurity in the United States on the sixth anniversary of the National Cybersecurity Month during October 2009.

RELATIVE TO THE DEATH OF FORMER SENATOR HENRY L. BELLMON

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 293.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 293) relative to the death of Henry Louis Bellmon, former United States Senator for the State of Oklahoma.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution and preamble be agreed to en bloc, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 293) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 293

Whereas Henry Bellmon served as a United States Marine from 1942–1946, where he served as a platoon tank commander in the Pacific theater, and was awarded the Legion of Merit for his service in Saipan and the Silver Star for bravery in action on Iwo Jima;

Whereas Henry Bellmon served as a Major in the Marine Corps Reserve until 1954;

Whereas Henry Bellmon served two nonconsecutive terms as governor of the State of Oklahoma from 1963–1967, when he was elected as the state's first Republican governor, and from 1987–1991; and

Whereas Henry Bellmon served the people of Oklahoma with distinction for 12 years in the United States Senate from 1969–1981;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Henry Bellmon, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Henry Bellmon.

ORDERS FOR WEDNESDAY, SEPTEMBER 30, 2009

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Wednesday, September 30; 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 the Senate then proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate proceed to the consideration of the conference report to accompany H.R. 2918, the Legislative Branch Appropriations Act, as provided under the previous order; finally I ask that the Senate recess from 12:30 to 2:15 p.m. to allow for the weekly caucus luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be at least three votes around 4:30 tomorrow afternoon.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn under the provisions of S. Res 293 as a mark of further respect to former Senator Henry Bellmon of Oklahoma.

There being no objection, the Senate, at 6:50 p.m., adjourned until Wednesday, September 30, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

GLADYS COMMONS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE DOUGLAS A. BROOK, RESIGNED.

DEPARTMENT OF AGRICULTURE

HARRIS D. SHERMAN, OF COLORADO, TO BE UNDER SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT, VICE MARK EDWARD REY , RESIGNED.

HARRIS D. SHERMAN, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE MARK EDWARD REY.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

STEVEN L. JACQUES, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE CATHY M. MACFARLANE.

DEPARTMENT OF HOMELAND SECURITY

ALAN D. BERSIN, OF CALIFORNIA, TO BE COMMISSIONER OF CUSTOMS, DEPARTMENT OF HOMELAND SECURITY, VICE W. RALPH BASHAM.

DEPARTMENT OF STATE

MICHAEL C. POLT, OF TENNESSEE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ESTONIA.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

ADELE LOGAN ALEXANDER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2014, VICE MARGUERITE SULLIVAN, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

VICTORIA ANGELICA ESPINEL, OF THE DISTRICT OF COLUMBIA, TO BE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR, EXECUTIVE OFFICE OF THE PRESIDENT. (NEW POSITION)

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 29, 2009:

THE JUDICIARY

JEFFREY L. VIKEN, OF SOUTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH DAKOTA.

DEPARTMENT OF JUSTICE

JENNY A. DURKAN, OF WASHINGTON, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF WASHINGTON FOR THE TERM OF FOUR YEARS.

FLORENCE T. NAKAKUNI, OF HAWAII, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF HAWAII FOR THE TERM OF FOUR YEARS.

DEBORAH K. R. GILG, OF NEBRASKA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEBRASKA FOR THE TERM OF FOUR YEARS.

WITHDRAWALS

Executive message transmitted by the President to the Senate on September 29, 2009 withdrawing from further Senate consideration the following nominations:

HARRIS D. SHERMAN, OF CALIFORNIA, TO BE UNDER SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT, VICE MARK EDWARD REY, RESIGNED, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 10, 2009.

HARRIS D. SHERMAN, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION, VICE MARK EDWARD REY, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 10, 2009.

EXTENSIONS OF REMARKS

A TRIBUTE TO DR. TERRY-JAN BLACKETT-BONNETT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. TOWNS. Madam Speaker, I rise today in recognition of Dr. Terry-Jan Blackett-Bonnett, an active and dedicated medical professional in my district.

From her earliest childhood memories Dr. Terry-Jan Blackett-Bonnett entertained the burning desire of someday becoming a practicing physician. After earning her high school diploma, she enrolled in St. Francis College, where she earned a baccalaureate degree in biology. She subsequently enrolled in the American University of the Caribbean School of Medicine and completed the requisite coursework in the United Kingdom at Eastbourne District Hospital, graduating with a Doctor of Medicine degree. A portion of her graduate curriculum included tropical medicine, requiring that she spend time working in northeast Mexico, in the state of Tamaulipas. During that time, she became adept in the use of the Spanish language. Her postgraduate work included research in the area of Human Genetics at SUNY Downstate Medical School, where she was a contributing writer to medical literature addressing the issue of a Y to X gene Translocation in Mother and Daughter.

After attaining her life long ambition, Dr. Blackett-Bonnett completed her residency training in the disciplines of Internal Medicine and Pediatrics at the University of Medicine and Dentistry in Newark, New Jersey. Upon completion of residency, she joined the staff of Interfaith Medical Center as an attending physician. She later left Interfaith as a full time physician to pursue a full-time schedule as the Medical Director of the Berean Community and Family Life Center in Brooklyn, New York with which she was affiliated since 2002. Dr. Blackett-Bonnett is currently on the medical staff of Interfaith Medical Center and Kingsbrook Jewish Medical Center. She is also a professor at ASA Institute of Technology in Brooklyn, New York. She currently holds positions on the board of directors of early intervention programs in New York and also a contributing member on the advisory boards for several health insurance agencies.

In addition to her involvement in her church community, Dr. Blackett-Bonnett has been instrumental in organizing health fairs for churches and schools in the greater New York area. She has also been a co-laborer in medical missions to the African countries of Nigeria and South Africa, where she provided medical care and education to village residents. Dr. Blackett-Bonnett has been a member of Berean Baptist Church since 1994. She holds fast to the ideology that ''as the body is clad in the cloth and flesh in the skin, and the bones in the flesh and the heart in whole so are we, soul and body clad in the goodness of God and enclosed.''

She is the proud mother of Harun Ibrahim and Liam Chukwuemeka, and the loving wife of Reverend Doctor Leary Bonnett.

Madam Speaker, I urge my colleagues to join me in recognizing Dr. Blackett-Bonnett.

SURFACE TRANSPORTATION EXTENSION ACT OF 2009

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Ms. RICHARDSON. Mr. Speaker, I rise to lend my voice in support of the Surface Transportation Extension we are considering today. We must continue to fund ongoing projects and ensure ongoing programs don't grind to a halt. However we must continue to build on the work of the Transportation and Infrastructure Committee and reauthorize our surface transportation programs. Transportation is an issue that affects virtually every American every day and should never be put on the back burner. When I came to Congress I fought to become a member of the Transportation and Infrastructure Committee because I know the importance of these issues for the people of the California 37th as well as every American. I support limiting the extension to 3 months so these issues stay on the forefront of our agenda.

Report after report has outlined the unacceptable current state of our deteriorating transportation system and called for major and immediate reform. As a country we waste billions of dollars every year with unnecessary delays due to a crumbling and over-congested surface transportation system. We need to fundamentally rethink the way we move people and goods. We must simplify our transportation programs and focus on a performance based system. Finally, we must make the tough choices about how to fund these programs and avoid having to continuously patch the highway trust fund.

Transportation experts around the country agree this is a time for a bold new transportation vision and I look forward to working with my colleagues to reauthorize the Surface Transportation Program before the extension before us today runs out.

HONORING DARDEN RESTAURANTS

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. GRAYSON. Madam Speaker, I stand here today to honor a great American company. For more than 40 years, Darden Restaurants has been nourishing and delighting guests through the operation of some of the most popular restaurant brands in the country, including Red Lobster, Olive Garden, LongHorn Steakhouse, the Capital Grille, Bahama Breeze and Seasons 52.

I'm proud to say that central Florida has always been, and will continue to be, home for Darden. The company has been instrumental in helping shape the growth and development of the region through its impassioned involvement and support of the community. Through corporate involvement, restaurant donations and support from the Darden Foundation and Environmental Trust, Darden has contributed millions of dollars to community based organizations and programs over the years.

Today, Darden has once again demonstrated its commitment to central Florida with the opening on September 30, 2009, of a new $1.52 million, state-of-the-art corporate headquarters in my district that keeps 1,300 jobs in the region.

Not only is Darden one of the leading employers in region, it's also the 29th largest private employer in America—employing 180,000 people in 49 States.

Further, through all of its growth, Darden leads in its environmental stewardship and has remained committed to sustainability. Its new facility is on track to receive Gold certification for Leadership in Energy and Environmental Design for new construction from the United States Green Building Council. Upon final certification, it will be the largest newly constructed Gold LEED certified building in Florida. Additionally, Darden established the Darden Environmental Trust in 1997, which has contributed over $3 million to organizations that promote sustainability. Since 1997, the Darden Environmental Trust has actively engaged in the protection of endangered sea turtles, the whooping crane, and has assisted in the funding of the Blowing Rocks preserve project, that is working to restore a section of delicate coastline in central Florida. Finally, Darden is helping to lead the way in helping to reduce the overfishing of lobster and wild fish species, and promoting new sustainable seafood products that improve the overall long term health of the world's increasingly fragile fisheries.

Madam Speaker, I would like to commend Darden on its vision and commitment to building stronger communities through its ''best of class'' restaurant operations, its commitment to the environment and sustainability practices, and its continued investment in my community and thousands of communities across the country.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. CAPUANO. Madam Speaker, last week I missed several rollcall votes and I wish to state how I would have voted had I been present:

Rollcall No. 720—"yes"; rollcall No. 721—"yes"; rollcall No. 722—"yes"; rollcall No. 723—"yes"; rollcall No. 724—"yes"; rollcall No. 725—"yes"; rollcall No. 726—"yes"; rollcall No. 727—"no"; rollcall No. 728—"yes"; rollcall No. 729—"yes"; rollcall No. 730—"no"; rollcall No. 731—"yes"; rollcall No. 732—"no"; rollcall No. 733—"yes"; rollcall No. 734—"no"; rollcall No. 738—"yes"; and rollcall No. 739—"yes".

A TRIBUTE TO ANDREA W. EVANS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. TOWNS. Madam Speaker, I rise today in recognition of Andrea Evans, Chairwoman of New York State Board of Parole and Chief Executive Officer New York State Division of Parole.

Ms. Evans has worked the majority of her professional career in the borough of Brooklyn. For the past 25 years, she has been a member and served in a leadership capacity as the business administrator at the Rehoboth Cathedral, which is pastored by Bishop Gerald Seabrooks. Ms. Evans was most recently Director of the Division of Parole for Region II, an area encompassing Brooklyn, Queens, and Staten Island. In this position, she was responsible for the operation of nine area offices, and the Queensboro Correctional Facility. Prior to this role, Ms. Evans served as Deputy Regional Director for Region I, where she managed the operation of five field offices in Bronx County.

From 2000 to 2006, Ms. Evans served as Special Assistant to the Downstate Director of Operations. From 1997 to 2000, she worked as an Investigator in the Division of Parole's Office for Professional Responsibility, where she conducted investigations into allegations of professional misconduct. From 1994 to 1997, Ms. Evans was a Senior Parole Officer and served as Acting Supervisor in the Bronx Area Office. Additionally, she worked as a Parole Revocation Officer from 1990 to 1994. Ms. Evans began her career with the Division in 1986 as a Parole Officer. Prior to joining the State Division of Parole, Ms. Evans worked for the Central Brooklyn Coordinating Council from 1979 to 1986, a community-based family services and support organization dedicated to foster care.

Ms. Evans holds a B.A. in Psychology from the City College of New York. She is a Queens resident and is the proud mother of one adult daughter.

Madam Speaker, I urge my colleagues to join me in recognizing Andrea Evans.

WELCOMING SOUTH KOREAN FIRST LADY KIM YOON-OK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. RANGEL. Madam Speaker, I rise today to honor one of the most graceful and important women to grace our shores, the distinguished First Lady of the Republic of Korea, Kim Yoon-Ok.

Ms. Yoon-ok majored in public health education at Ewha Woman's University, the fourth First Lady to have graduated from this prestigious university. While her husband's career eventually took him from the private sector to the highest public office in their country, she has carved out her own reputation as a strong advocate of the rights of women, children and families in South Korea and around the world.

Ms. Yoon-ok was in New York last week, not only accompanying her husband's visit to the United Nations but also hosting a luncheon in honor of those soldiers—American and Korean—who gave their lives for their democratic nation. It is a war that I am quite familiar with. More than 50 years ago, I fought with millions of Americans to help preserve South Korea's independence during the invasion from communist Korea in 1950. That is why I was very happy this summer when President Obama signed a bill into law that recognized these sacrifices. The bill that I introduced recognizes the 1953 armistice with the display of the American flag each July 27th, that day declared as National Korean War Veterans Armistice Day.

As a Korean war veteran, it gives me great pride to see how the nation has flourished as a democratic and free people. Today, the Republic of Korea is the 13th largest economy in the world and the United States' 8th largest trading partner. Recently, the IMF raised Korea's growth forecast for this year from the growth amount that was originally projected a few months ago, further stating that the nation's growth will increase 2.5 percent next year.

Freedom, of course, is not something that is static. It must be fought for and defended by every generation. So, as the relationships between our two countries continue to grow and deepen, we cannot forget that our economic and cultural prosperity is built on the achievements and accomplishments of our ancestors. It is a sacrifice we are proud to celebrate, today and forever.

CONGRATULATING CHRISTOPHER DIMATTIO, THE 2009 RECIPIENT OF THE MAN OF THE YEAR AWARD FROM THE LACKAWANNA COUNTY COLUMBUS DAY ASSOCIATION

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Christopher DiMattio, who was named recipient of the 2009 Man of the Year Award from the Lackawana County, Pennsylvania, Columbus Day Association.

Mr. DiMattio will be honored this year at the annual dinner to be held Sunday, October 11, at the Genetti Manor in Dickson City, Pennsylvania.

A native of Dunmore, Pennsylvania, Mr. DiMattio is the youngest son of Louis and Catherine Summa DiMattio. He graduated from St. Anthony's School and Bishop O'Hara High School as well as Marywood University where he earned a degree in Business Administration and Marketing. He remained active at Marywood and served three terms on the Board of Trustees and established several endowment and scholarship funds. He is a recipient of the Alumni Society's "Recent Graduate Award" and the "Presidential Scholarship Honoree" for outstanding community service.

Mr. DiMattio is a member of the "Chairman's Club," the highest award for production of financial services at the parent company, INVEST Financial Corporation and, last year, he was cited as the top producer in the entire Nation. A past director of the National Advisory Board, he is frequently called on to present at various bank and financial institutions both regionally and nationally. He is an Accredited Investment Fiduciary as well as a member of various professional organizations in the finance and investment areas, primarily concentrating in business retirement plans.

Mr. DiMattio served two terms as a director of the Greater Scranton Chamber of Commerce and he is a member of the Scranton-Lackawanna Industrial Building Corporation.

Mr. DiMattio served on the board of directors for many charitable, civic, religious and cultural organizations. He is active in UNICO National where he currently serves as Executive Vice President and will become National President next July as well as the Scranton Chapter's Secretary. He is the volunteer event chairman and president of La Festa Italiana and he serves on the board of the St. Francis of Assisi Soup Kitchen, Little Flower Manor of the Diocese of Scranton and he chairs the annual coat drive for the Head Start program of the Scranton-Lackawanna Human Development Agency. Mr. DiMattio has been the recipient of many honors for his community service including the "Bronze Medallion of the Legion of Honor" by the Chapel of the Four Chaplains, the Outstanding Volunteer Fund Raiser by the Northeast Chapter of the National Society of Fund Raising Executives, UNICO Member of the Year Wall of Fame by Bishop O'Hara High School, Community Roast by Family Services, Honorary Delta Mu Delta by Marywood University's Business Department, Past President's Award by the Columbus Day Association, the Victor Alfieri Literary Society, the St. Francis of Assisi Kitchen, the Diocesan Council of Catholic Men and by the Greater Scranton Jaycees where he was also honored for the founding of the Santa Parade. He has also been honored by the City of Scranton and Lackawanna County for service to the community and by the Volunteer Action Center with the JC Penney's Golden Rule Award. In 1992, he was chairman of the Columbus Quincentenary Parade celebrating the 500th anniversary of America.

Mr. DiMattio resides in Moscow, Pennsylvania, with his wife, the former Ann Celli, and their two sons, Louis Carlo and Robert Christopher.

Madam Speaker, please join me in congratulating Mr. DiMattio on this auspicious occasion. His remarkable spirit of volunteerism and community service should be an inspiration for all, as his accomplishments have improved the quality of life in northeastern Pennsylvania.

HONORING THE 200TH ANNIVERSARY OF THE BETHEL BAPTIST CHURCH OF CASEYVILLE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in recognizing the 200th anniversary of Bethel Baptist Church of Caseyville, Illinois.

The year 1809 was important in the history of our Nation and the State of Illinois. While James Madison was inaugurated as our young Nation's fourth President and Robert Fulton received a patent on his new invention, the steam boat, the Illinois Territory was formed by an Act of Congress and Abraham Lincoln was born in the backwoods of Kentucky. At the same time, a group of Christians who had concerns about the pro-slavery position of some members of their former church formed the Baptist Church of Christ, Friends to Humanity, which would later become Bethel Baptist Church of Caseyville.

James Lemen, Sr., was the first pastor of the new church and the congregation would meet in the houses of members, traveling up to 36 miles by horseback to attend services. As the congregation grew, the need for a permanent church structure became apparent and the first meeting house was built in 1825.

During the church's early years, members continued to hold strong abolitionist positions. The church building was used as a station along the Underground Railroad, with fugitive slaves hiding in a crawl space under the church floor. To commemorate this important period, when a new floor was installed in the 1940s, a trap door was installed so the original trap door, through which the fugitive slaves would enter their hiding place, could be seen.

Many changes occurred during the history of the church, many of which mirrored what was going on as our Nation grew. Wars and economic disasters took their toll on the congregation and, for a period during the Great Depression, the church was closed. During that time, concerned parishioners would gather the children of the area into their homes to continue to spread the Word of God.

Responding to the needs of the flock, the church membership was reorganized and the church reopened in 1938. Due to the efforts of many in the congregation, the church rebounded and membership grew.

As they celebrate their past during this historic anniversary year, the congregation of Bethel Baptist Church of Caseyville also looks forward to the future. Their strong commitment to their faith, their families and their community is reflected in their invitation for their bicentennial observance, "Celebrate God's Goodness with Us!"

Madam Speaker, I ask my colleagues to join me in honoring the 200th anniversary of the Bethel Baptist Church of Caseyville and wishing them the best for many years to come.

A TRIBUTE TO DR. EMMANUEL NWOZUZU

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. TOWNS. Madam Speaker, I rise today in recognition of Dr. Emmanuel Nwozuzu, CEO of ACE-IT Educational Consultants and an accomplished educator in my community.

Dr. Nwozuzu was born in Umuoba Uratta Owerri Imo State Nigeria on April 14, 1942, in the middle of the Second World War to a family of six. At the time of his birth, Emmanuel's late father was a sub Army Tailor contractor in Calabara seaport in the Southern Eastern tip of Nigeria. Emmanuel's parents Catherine and Christopher were firm believers in education, having seen at first-hand the advantages of education among people in the army. They invested all that they had in educating all their six children.

Emmanuel obtained his Bachelors in the University of Nigeria Nsukka in 1970, taught sciences in Eastern Region of Nigeria and Benue Plateau State of Nigeria where he was selected later to be the Principal of a school at a very young age of 29. There he worked hard to upgrade the school from a community secondary school to prestigious Kanam Government Secondary. While Principal, Emmanuel went to school and obtained a Post Graduate Diploma in Education from Ahmadu Bello University Zaria.

Dr. Nwozuzu had the opportunity to immigrate to the United States to pursue further education, he obtained his Masters degree in Education in 1982 at Iowa State University in Science and Technology. It was Emmanuel's major Professor, Kahler who literally "coaxed" him to register for a doctoral program and gave him a job as an Assistant Research fellow.

In 1985, Dr. Nwozuzu took up a teaching position at the New York City Board of Education where he taught subjects from chemistry and physics to reading and writing. On May 1, 1990, the Principal of P.S. 9 recommended Dr. Nwozuzu for recognition from the Board of Education for Outstanding Leadership in Shepherd Program. In 1992, Dr. Nwozuzu was recognized by Kodak Company for the beautification of a triangular inner city park.

In 2005, Dr. Nwozuzu was awarded a teaching merit award from the Secretary of Education in Washington, DC, and in that same year was awarded the U.S. Presidential Scholars Program Teachers Award. Now retired, Dr. Nwozuzu is the CEO of ACE-IT Educational Consultants.

Dr. Nwozuzu is the author of Voice of Generators Past, the Pulse of the Igbo, an African Tribe, a social commentary, a voice that narrates the changing effects in a traditional village in Africa published by Xlibris, PA.

Madam Speaker, I urge my colleagues to join me in recognizing Dr. Emmanuel Nwozuzu.

HONORING THE ACCOMPLISHMENTS OF MS. SARITA BROWN

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. MORAN of Virginia. Madam Speaker, I rise today to recognize Ms. Sarita Brown upon receiving the 2009 Harold W. McGraw, Jr. Prize in Education. Ms. Brown is highly regarded for her hard work and dedication towards accelerating Latino success in higher education. For over two decades she has served as a shining example for students of Latino heritage.

Ms. Brown started her professional career at the University of Texas at Austin. There she built a national model to promote minority success in graduate education. In 1993, her endeavors carried her to Washington where she joined the Department of Education during the Clinton Administration. As Executive Director of the White House Initiative for Education Excellence for Hispanic Americans, she was tasked with the goal of implementing effective strategies to raise academic achievement and opportunities for low-income and minority students nationwide.

After her time in the administration, Ms. Brown applied her talents and experience to the nonprofit sector, serving as a leader among her colleagues and in her community. Ms. Brown is the co-founder and current President of Excelencia in Education, a not-for-profit organization working to promote Latino educational success in the classroom by linking research, policy, and effective practices in public policy.

Ms. Brown currently sits on the Board of Directors for ACT Inc., the National College Access Network (NCAN) and on advisory boards for the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund and the Journal of Hispanic Higher Education. In January 2009, Virginia Governor Tim Kaine bestowed the honor of appointing her to the Board of Visitors for Old Dominion University.

In addition to being an expert on education, Ms. Brown is also an outstanding public speaker. Each year, she travels around the country advocating for the issues she has spent her career championing: promoting access and support for Latinos to receive a higher education.

On behalf of the citizens of Virginia's 8th Congressional District, I congratulate and applaud Ms. Brown for her life's work. She is most deserving of the 2009 Harold W. McGraw, Jr. Prize in Education. May it serve to bolster her on to even greater achievements in the years to come.

RECOGNIZES THE EFFORTS OF AGRONOMIST AND NOBEL LAUREATE NORMAN BORLAUG

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Ms. DELAURO. Madam Speaker: I rise to recognize and pay my respects to the late Norman Borlaug, who passed away earlier this month.

The father of the Green Revolution, and one of only six people in history to have won the Nobel Peace Prize, the Presidential Medal of Freedom, and the Congressional Medal of Honor, Dr. Borlaug may just be the most underappreciated genius in human history. In the annals of our species' time on Earth, he stands like a Colossus. It is no exaggeration to say—indeed it is said often—that Dr. Borlaug saved more lives than anyone else who has ever lived, and that he quite literally changed the fate of our world.

Born in 1914 in Saude, Iowa, Norman Borlaug spent his formative years working on the family farm, leaving, Borlaug said later in life, only because of some sage advice offered by his grandfather—''You're wiser to fill your head now if you want to fill your belly later on.'' With the help of a gift for wrestling—and Franklin Roosevelt's National Youth Administration—Borlaug enrolled in the University of Minnesota in 1933, supplementing his meager resources with stints in the Civilian Conservation Corps and the United States Forestry Service. He graduated in 1937 with a Bachelor of Science in Forestry, following it up with a Masters of Science in 1940 and a Doctorate in plant pathology and genetics in 1942.

After serving the World War II effort as a microbiologist at DuPont, Borlaug moved to Mexico in 1944 to take part in a Rockefeller Foundation project aimed at boosting wheat production. There, the true work of his life began.

At the time, Mexican farmers were able to raise less than half of the wheat they needed to feed their population, mainly due to a debilitating fungus known as rust. For the next 13 years, Borlaug experimented with and crossbred strains of wheat from all over the world to develop a grain that was rust-resistant. When that success was finally achieved, other problems emerged. The new blend of wheat, while resistant to rust and many other diseases, was top-heavy and would break easily. So Borlaug looked to shorter Japanese dwarf strains, and the Green Revolution began in earnest.

By 1956, thanks to Dr. Borlaug's efforts, Mexico grew two to three times more wheat than before, and was self-sufficient in wheat. From there, spurred on by the Rockefeller Foundation and the United Nations, Borlaug brought his extraordinary insights to the rest of the globe. In India and Pakistan, North Africa and Southeast Asia, the Middle East and the Philippines, where scientists followed Borlaug's pioneering vision to create a new strand of rice, Borlaug's hard work and amazing insights transformed agriculture and allowed for incredible new yields all over a hungry world.

In 1970, Norman Borlaug won the Nobel Peace Prize for the transformation he had achieved. In an age that was greatly concerned about the dire consequences of exploding population, Borlaug utilized science, innovation, and his ''Iowa-stubborn tenacity'' to lead the whole world forward. He remains the only agricultural scientist to have ever won the Nobel Prize—Indeed, in part to correct this oversight, Borlaug later helped to found the World Food Prize, to encourage agronomists of later generations to follow in his footsteps.

Borlaug was not only a pioneering scientist but a pioneering humanitarian. I had the pleasure of meeting with Dr. Borlaug several times over the past few years, and he was a consistent and forceful advocate on global food issues. He dedicated his days not only to feeding hungry people and helping them achieve self-sufficiency, but to improving their lives in any way he could. A professor at Texas A&M University for many years, Borlaug also served as an important advisor to governments around the world and a compelling advocate for the many virtues of agricultural science. To say nothing of his continuing stints as Boy Scout Troopmaster and Mexico's first Little League Baseball coach, and of his life as a husband and father.

After his passing on September 13, 2009, Borlaug's children asked that he be remembered as ''a model for making a difference in the lives of others and to bring about efforts to end human misery for all mankind.'' And so he was, and so he shall. The world has lost one of its great men in Norman Borlaug, and we are all the poorer for it. Nonetheless, his remarkable contributions to our people and our planet will last longer than any of us.

COMMENDING YIXIAO WANG OF WESTFIELD, NEW JERSEY

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. LANCE. Madam Speaker, I rise today to recognize an exceptionally talented student, Yixiao Wang of Westfield, NJ. Yixiao, along with three other teammates representing the United States, recently participated in the 41st International Chemistry Olympiad, winning one gold and three silver medals in Cambridge, England.

The U.S. Team competed against 250 students from 65 countries in a battery of exams including theoretical and practical applications. Yixiao placed in the top 10 percent earning him a gold medal. The four students were selected from over 11,000 talented high school chemistry students who had participated at the local level, and are representative of the brightest chemistry students in the Nation.

The International Chemistry Olympiad was created in 1968 to enhance friendly relations among young people from different countries. Since then, thousands of students have participated in this rigorous competition to recognize the most talented students in the world.

I would like to congratulate Yixiao for his exemplary performance, which undoubtedly required disciplined, diligent studies. His is a shining example of the dedication the faculty at Westfield High School have towards helping their students achieve greatness. Yixiao will surely have a bright future in any of his future endeavors.

A TRIBUTE TO DR. R. SANDLIN LOWE III

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. TOWNS. Madam Speaker, I rise today in recognition of Dr. R. Sandlin Lowe III, a faculty member of the New York University School of Medicine.

Dr. Lowe was born in Tallapoosa County, Alabama and grew up on the family farm in Coosa County, the poorest county in Alabama. He was influenced greatly by his grandfather, Braxton Hughes Smith, who as a Christian man taught him much about faith and patience, hard work and perseverance; a farmer lives out these things every day. The work on the farm was done by hand with mules pulling the ploughs through the earth and men coming to pick the cotton and corn that grew. It was a life out of Faulkner—trips to the blacksmith's shed to reshape and sharpen ploughshares, killing hogs in the winters, the spring plantings and the eventide hymns as men finished the day's work—a wondrous grounding.

The College and Medical School at Tulane University in New Orleans followed where the interests in human nature and all things human found outlets in anthropology and then later medicine, sparked interest in Dr. Lowe. While attending medical school, Dr. Lowe came to New York City to Bellevue Hospital in the fall of 1986—he has been affiliated with Bellevue either as a student, intern, resident or attending physician ever since.

Currently a member of the Faculty of the New York University School of Medicine, Dr. Lowe's interests and work in brain injury and autism are personal. His research at the Brain Research Laboratories with his recently deceased friend, Roy John, and his work with his mentor and friend, Rodolfo Llinas, in the Department of Physiology and Neuroscience have led to an innovative theory of coma and vegetative states that is strangely enough applicable to autism spectrum conditions. Dr. Lowe continues his work on this issue in hopes that this work will continue to bear fruit.

Madam Speaker, I urge my colleagues to join me in recognizing Dr. R. Sandlin Lowe III.

A PROCLAMATION HONORING AARON HANEY FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Aaron Haney showed hard work and dedication to the sport of baseball; and

Whereas, Aaron Haney was a supportive coach; and

Whereas, Aaron Haney always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Aaron Haney on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

RECOGNITION OF EARL W. RILINGTON, SR., OF SAVANNAH, GEORGIA

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KINGSTON. Madam Speaker, I rise to commemorate the retirement of Mr. Earl W. Rilington, Sr., from a lifetime of service to the pulp and paper industry of southeast Georgia.

Mr. Rilington spent his early childhood in Sylvania, Georgia. He has been a resident of Savannah for over 50 years. In 1969, he married his high school sweetheart, the late LaVenia Salley Wyley Rilington, and had their first child, Earlonda.

Mr. Rilington was employed with Union Camp, and later, International Paper for 40 years. He began work in the box plant as a slitterman in 1969, making boxes to be shipped all over the world for everyday uses. He attended school at Savannah State University and earned a promotion to electrician in 1973. As an electrician, he ensured the operational efficiency of all major plant equipment such as boilers and presses. The Rilington family has a noteworthy history with International Paper. Mr. Rilington's father, Willie V. Rilington, Sr., was employed with International Paper's predecessor, Union Camp for 23 years as a box car loader and truck driver. Earl's son, William Michael Rilington, is currently in training for instruments and controls with International Paper.

As Mr. Rilington enters his well-deserved retirement he can look forward to pursuing his hobbies, spending time with family and friends and traveling. Whether at the bowling alley every Monday and Thursday night or leading the Usher Board at Conner's Temple Baptist Church, we can be assured that our country is what it is today thanks to the contributions he has made throughout his lifetime. I rise today to recognize Mr. Rilington as a model husband, father, and citizen. We commemorate his retirement from a lifetime of service to the pulp and paper industry of Southeast Georgia on this day October 30, 2009.

REMEMBERING JAMES D. RANGE

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. TANNER. Madam Speaker, I rise today to remember James D. Range, a beloved father, son, brother, and friend.

Jim died peacefully, surrounded by family and loved ones, on Tuesday, January 20, 2009 at the Mayo Clinic in Rochester, Minnesota, after an extraordinarily courageous battle with kidney cancer. He was 63 years old.

A Johnson City, Tennessee, native, Jim was a life long outdoorsman who loved America's wild spaces and loved hunting and fishing.

He was respected as a passionate advocate for the country's fish and wildlife and their habitat and one of the Nation's most prominent champions of natural resource conservation.

In the 1970's, Jim was a trusted advisor and counsel to Senate Majority Leader Howard Baker and the Senate Environment and Public Works Committee where he served with verve and integrity.

During his time in the Senate, Jim was instrumental in the conservation of many different corners of the American landscape and integral in the crafting and final passage of a string of landmark laws such as the Clean Water Act.

Even after his time spent on Capitol Hill, Jim displayed an unrivaled commitment to our nation's natural resources and outdoor traditions by co-founding and serving as chairman of the Theodore Roosevelt Conservation Partnership.

He furthered his service to the cause of conservation through work on the Boards of Directors for Trout Unlimited, Ducks Unlimited, the Wetlands America Trust, the Recreational Boating and Fishing Foundation, the American Sportfishing Association, the American Bird Conservancy, the Pacific Forest Trust, the Yellowstone Park Foundation, the Bonefish and Tarpon Trust, the National Fish and Wildlife Foundation, the Interstate Commission on the Potomac River Basin, the Sportfishing and Boating Partnership Council, and the Valles Caldera Trust.

Through this work, Jim received such honors as the U.S. Department of the Interior's Great Blue Heron Award, the 2003 Outdoor Life Magazine Conservationist of the Year and the Norville Prosser Lifetime Achievement Award presented by the American Sportfishing Association.

He left both the political and natural landscape in which he lived, loved, worked and played better than when he found it. His achievements in conserving the valuable wild and natural resources of the country are unparalleled and he lived his extraordinary life with integrity, humor and goodwill he displayed in all his pursuits.

He left a legacy to all his family, friends and colleagues of a vision for a growing understanding and appreciation of our natural world and a daily commitment to conserving it for future generations.

Madam Speaker, please join our colleagues and me in recognizing Jim Range's accomplishments and contributions.

100TH ANNIVERSARY OF WHITING PARK

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure and enthusiasm that I take this moment to congratulate the city of Whiting, Indiana, in celebrating the 100th anniversary of Whiting Park. Throughout the years, Whiting Park has been an integral part of the community providing residents with a place to create lasting memories while preserving the history of the city. Whiting commemorated this extraordinary milestone on July 18, 2009, with a celebration in the park presented by the Whiting Park Festival Orchestra.

In the early 1900s the idea for Whiting Park began to take shape. Many activists in the area, at the time, could envision the potential for a magnificent park that would serve to bring the community closer together. In 1908, Frank Long, Chairman of the City Council Park Committee, along with Mayor Fred J. Smith, helped the city to acquire 22 acres of land bounded by Front and 117th Streets, the New York Central Railroad tracks and Lake Michigan. Whiting purchased the land from the Forsythe Estate for $75,000. Whiting Park continued to expand, and by the 1920s the park included a man-made lagoon, fountains, attractive walkways, a baseball diamond, trap-shooting facility, tennis courts, a playground, and a pavilion used for ballroom dancing and different music venues. In addition, a bath house was built for the beach lakefront activities, which included two waterslides and a diving board. The winter months at the park were filled with ice skaters, sledding, and ice hockey games. Over the next two and a half decades, thousands of people would flock to Whiting Park for the amenities on the land and in the water, all year round making the park one of the most popular on the entire lakeshore.

The next 30 years proved to be a troublesome time for Whiting Park, and there were many factors that led to the downfall of the park's glorious days of the past. Whiting Park Beach was closed in the late 1940s due to a high bacteria count in the water. The war emergency, at the time, led to limited city and federal funding for the upkeep of the park and beach. While there were proposed solutions over the years to bring back the Whiting Park of the past, many of them fell through. People began to think that the once famous Whiting Park would never be restored.

Finally, in 1977, the Whiting Park and Recreation Board was established. Through the efforts of the Parks Department, the beach was reopened on August 23, 1981, and came to be known as Whihala Beach County Park. The name "Whihala" stands for Whiting, Hammond, and Lake County Parks Department. With the new beach open, the Whiting Parks Department began again to concentrate on restoring the beauty of Whiting Park. Over the years, volunteer groups spent much time planting new flowers, and restoring the main garden, pond and waterfall area near the entrance of the park, bringing the park back to life. Today, Whiting Park spans approximately 15 acres and includes playground equipment, walking paths, four tennis courts, one baseball diamond, picnic facilities, a concession area, a fishing pier, two sand volleyball courts, an in-line skate/hockey rink, and a fish pond including a waterfall.

As Whiting Park celebrates its 100th anniversary, there are also many innovative plans for the future, including working to become an integral part of the proposed Marquette Plan, a project that will better utilize Northwest Indiana's Lake Michigan shoreline.

Madam Speaker, I ask you and my other distinguished colleagues to join me in honoring and congratulating the city of Whiting on their 100th anniversary of Whiting Park. Throughout the years, Whiting Park has been a historical reminder of a city whose people continue to push forward with enthusiasm and faith to return this park to one of the most prized recreational lakefronts in the region, just as it was at the turn of the century. Their constant dedication and commitment is worthy of our deepest admiration.

A TRIBUTE TO DR. THEOPHINE ABAKPORO

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. TOWNS. Madam Speaker, I rise today in recognition of Dr. Theophine Abakporo, Medical Director of the Department of Emergency Medicine & Pre-Hospital Care at Wyckoff Heights Medical Center and dedicated public servant.

Dr. Theophine Abakporo, MD was born in Nigeria in 1964. During his childhood, he was deeply influenced by the devastating experience of growing up in a country at war. He witnessed the effects the war had on his local community—displacement, premature deaths, injuries, disease and poverty. As he grew older, he realized the importance of community organizations and public service.

At the age of 23, Dr. Abakporo obtained his MD degree from Jos Medical School in Nigeria. Upon graduation, he was appointed Medical Officer with the Nigerian Army Field Ambulance. Subsequently, he relocated to the United States to pursue his postgraduate medical education. In 1995, he completed his residency in internal medicine at Brookdale University Medical Center in Brooklyn, New York. He is board certified in internal medicine and emergency medicine.

In response to the increasing need for disaster awareness and management he took further training and certification. He is certified by the United States Department of Homeland Security in healthcare leadership and administrative decision-making in response to weapons of mass destruction (WMD). He is certified by the United States Army in Chemical, Biological, Radiological, Nuclear, and Explosive incidents (CBRNE). In addition, he is certified by the Fire Department of New York (FDNY) in online medical control.

While pursuing his medical career Dr. Abakporo became deeply involved in the health care needs of the inner-city communities in the United States. Dr. Abakporo worked hard and committed himself to participating in the health outreach and other programs related to the well being of the Brooklyn communities such as Ocean Hill, Brownsville, East New York, Bed-Stuy, Bushwick and Ridgewood communities. This strong willingness to help and care for people, contributed to his interest and focus in the field of emergency medicine and pre-hospital care.

In 1996, Dr. Abakporo joined Wyckoff Heights Medical Center as an Attending Physician in the Department of Emergency Medicine. His leadership, hard work and dedication earned him a promotion as Assistant Director in 2005. Dr. Abakporo currently serves as Medical Director of the Department of Emergency Medicine & Pre-Hospital Care at Wyckoff Heights Medical Center.

In 2008, Dr. Abakporo was honored by the Wyckoff Heights Medical Center's Nursing Administration for his motivation, excellence, dedication and service to the patients and staff. He received the Nursing Recognition Award for Physician Education & Nursing Collaboration.

Dr. Abakporo is a member of World Association of Disaster and Emergency Medicine (WADEM); the American Association of Physician Specialists, and the American College of Physicians.

Madam Speaker, I urge my colleagues to join me in recognizing Dr. Theophine Abakporo.

A PROCLAMATION HONORING ADAM MIZER FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Adam Mizer showed hard work and dedication to the sport of baseball; and

Whereas, Adam Mizer was a supportive team player; and

Whereas, Adam Mizer always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Adam Mizer on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

IN RECOGNITION OF THE U.S.S. COD'S 50 YEARS IN CLEVELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KUCINICH. Madam Speaker, I rise today in recognition of the U.S.S. Cod's 50 Years in Cleveland celebration on August 14th, 2009. The celebration featured a special free admission day for the public and ceremony to mark the golden anniversary and restoration of the Cod's Cleveland-built diesel engines. The ceremony concluded with a salute to the people of Cleveland with the firing of the Cod's deck gun.

On March 21, 1943 the U.S.S. Cod was launched and its engines, built in a General Motors plant on Cleveland's west side, powered the submarine around the globe. According to Dr. John Fakan, president of the nonprofit U.S.S. Cod Submarine Memorial, "GM built Cod's five diesels right here in Cleveland, but it didn't end there. Much of the steel plate that forms her hull was made in Cleveland and Youngstown steel mills from Great Lakes ore." Through her heroic missions in World War II, Cleveland-based training programs during the Cold War, and place as a historic site and submarine memorial in Cleveland, the U.S.S. Cod has become a national symbol.

After her successful WW II service in the Pacific Ocean, the Cod continued to protect America in the Cold War by training NATO anti-submarine forces in the Atlantic Ocean. In 1959 the Cod was brought to Cleveland to serve as a dockside trainer for reservists, and instantly became popular with the public. Citizens were allowed to tour the sub when the Navy wasn't conducting training aboard, and these civilian tours continued even after the Navy declared the Cod obsolete in 1971 and began the scrap process.

Despite the Navy's decision, the people of Cleveland saved the Cod from being scrapped. School children, veterans groups, Scouts and "Save the Cod," a group formed by local business leaders in 1972, all banded together to raise money and save the historic and symbolic submarine. In 1976 the Navy turned the Cod over to her civilian caretakers, who immediately began restoring the Cod to the original beauty that she was while defending America. In 1986 these efforts were recognized by the Federal Government which declared the Cod a National Historic Landmark. The Cod's world-class restoration continues today, focusing on her Cleveland-built engines.

The Cod's caretakers estimate that more than a million people have toured the Cod in the 50 years she has called Cleveland home. In addition to being a popular attraction on Cleveland's lakefront, the Cod has also helped bring revenue into downtown by hosting television and film documentaries as well as military reunions and other special projects.

Madam Speaker and colleagues, please join me in recognizing the celebration of the U.S.S. Cod's 50 Years in Cleveland. The U.S.S. Cod (SS 214) is both a floating memorial to U.S. submariners who gave their lives defending freedom as well as a unique piece of Cleveland's industrial history.

RECOGNIZING THE JOINT COMMUNITY POLICE PROJECT IN MINNESOTA

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. ELLISON. Madam Speaker, I rise today to congratulate the Joint Community Police Project (JCPP), an initiative of the Hopkins, Richfield, Brooklyn Park, and Brooklyn Center Police Forces in Hennepin County, Minnesota, for being selected by the International Association of Chief's of Police (IACP) as the winner of the 2009 Civil Rights Award.

The IACP is made up of over 20,000 law enforcement members at command level in 89+ countries. This is the first time the JCPP has received programming recognition from the International Association of Chief's of Police.

These four aforementioned cities live the value of civil rights through the actions of the Joint Community Policing Project—which strives to enhance communication and understanding between police and multicultural residents to improve public safety and livability in the community.

I invite all the members of Congress to join me in recognizing the excellent work of these four fine Minnesota police forces of Hopkins, Richfield, Brooklyn Center, and Brooklyn Park for reaching out to new Americans within our cities and providing the services, hospitality, and valued information to make them welcome, active participants in our community.

In 2009, I proposed and Congress approved a $100,000 appropriation to continue the work of the Joint Community Police Partnership. One example of their work can be seen in Hopkins, where some of the appropriated funds enabled JCPP to hire a Somali college student to work as Public Service Officer for

the Hopkins Police Department. Already they are witnessing a powerful positive reaction by the young immigrant children when the youth see this young man in a Hopkins Police Department uniform at the schools and in their apartment complexes. In addition, funds from this appropriation are being used to bring in successful Somali women from the community to speak to the school club, to mentor them in making positive choices, help build their self esteem, and counsel them to avoid involvement in gangs.

In closing, Madam Speaker, I would like to extend my personal congratulations to the Joint Community Police Partnership for being a model of excellence both in our country and abroad.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

SPEECH OF

HON. STEVEN C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 23, 2009

Mr. LATOURETTE. Madam Speaker, I rise to object to the process by which the majority has brought the continuing resolution to the floor of the House of Representatives. While we can all agree that it is sometimes necessary to adopt a continuing resolution to keep federal government programs running in the new fiscal year as the respective Appropriations Subcommittees finalize their conference reports, attaching the resolution to the conference report for appropriations for the Legislative Branch is inappropriate and a direct attempt by the majority to stifle debate in this House.

Further, Madam Speaker, the majority's action in this instance is just one more swipe at the minority in a pattern that began at the start of this body's deliberation on Appropriations bills earlier this summer. It has continued to stifle debate throughout the process by restricting the minority's ability to offer amendments to these important funding bills. Over the summer months in which we considered all 12 appropriations bills, the majority's structured rules permitted the minority to offer just over 100 amendments, of which only approximately 50 per cent were on substantive issues directly impacting policy and/or program funding levels. That's just 50 amendments on real policy, impacting government spending on specific programs across the entire federal government.

Following on this abysmal stifling of Republican amendments on these bills, Madam Speaker, next the majority has again found a way to prevent meaningful debate on the funding resolution which continues to keep the government open by attaching it to the conference report on the Legislative Branch Appropriations bill. Since the conference report cannot be amended, there was no opportunity for another point of view in continuing the government's operations. Madam Speaker, this behavior is not merely frustrating, but it also works directly against the very backbone of our nation—a democracy with free and open debate on issues.

It is my sincere hope that in the future, Madam Speaker, regardless of which party holds the majority in the House, we can change course from this current process and instead open these important spending bills, including the continuing resolution, to amendment through an open process.

A TRIBUTE TO MAJOR GENERAL MICHAEL R. LEHNERT

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. ISSA. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the United States Marine Corps are exceptional. For more than thirty-five years this man has served our nation in the most outstanding and dedicated manner. On the occasion of his retirement, I feel it only right to recognize the magnificent service Major General Michael R. Lehnert has performed for our country.

Major General Lehnert graduated from Central Michigan University in 1973 with an undergraduate degree in History and commissioned a Second Lieutenant through the PLC program. After attending the Marine Officers Basic School in Quantico, Virginia, he was transferred to Camp Lejeune, North Carolina. Assignments at Camp Lejeune included engineer platoon commander and maintenance officer LSU–32 and S–4, H&S Battalion, 2nd FSSG. Assigned to 9th Engineer Support Battalion in Okinawa Japan, he served as Bn Operations Officer and finished his tour as commander Company A, 9th Engineers.

In 1977, he was ordered to Marine Barracks, Subic Bay, Republic of the Philippines as the Operations Officer. In 1978, he took command of Company A, Marine Barracks, Subic Bay. In 1979, Major General Lehnert attended the U.S. Army Advanced Engineer School at Fort Belvoir, Virginia. After graduation, he served as Executive Officer, USMC Recruiting Station, San Antonio, Texas. He was transferred to Camp Pendleton, California in 1983 and held the following assignments from 1983 to 1986. Company Commander, Company C, 1st Landing Support Battalion Commanding Officer, Combat Service Support Detachment 11 Commanding Officer, Combat Service Support Detachment 16 Executive Officer, MAU Service Support Group 17 Landing Force Support Party Cdr, BSSG 7 MEF Engineer, First Marine Amphibious Force.

In 1987, he was selected for Armed Forces Staff College. After graduation, he was assigned to the United States Southern Command in the J–3 Operations Directorate as Chief, Central American Exercise Branch. During the Panama crisis, he participated in Operation Just Cause and Operation Promote Liberty. Major General Lehnert was reassigned in 1990 as Inspector-Instructor, 6th Engineer Support Battalion, Portland, Oregon. He was selected for top level school, completed the Naval War College in 1993 and was awarded a masters degree in International and Strategic Studies.

In 1993, he was assigned to the Joint Warfighting Center in Norfolk, Virginia where he served as the Chief of the Futures Branch, Doctrine Division. In 1995, he reported to 2d MAW and participated in Operation Sea Signal, Guantanamo Bay, Cuba as Commander, Joint Task Group Bulkeley, JTF 160, where he commanded the security forces responsible for operation of Cuban and Haitian migrant camps. Major General Lehnert commanded Marine Wing Support Group 27 at Cherry Point, North Carolina from 23 May 1996 to 28 May 1998. He was reassigned as the Deputy Chief of Staff, G–4 II MEF. In 1999, he deployed to Panama as the Chief of Staff, Joint Task Force Panama to oversee the final turnover of the Canal and the remaining military bases.

His first tour as a general officer was at Headquarters Marine Corps, where he served as the Assistant Deputy Commandant for Installations and Logistics. He took command of 2d Force Service Support Group in July 2001 and in January 2002, he deployed to Guantanamo Bay, Cuba as Commander, Joint Task Force 160. JTF 160's mission was to construct and operate the detention facilities for Taliban and Al Queda detainees. In 2003, he deployed with the 2d FSSG to the CENTCOM theater and participated in Operation Iraqi Freedom as Commander, Marine Logistics Command. His most recent assignment was as Chief of Staff, United States Southern Command, Miami, Florida.

Decorations include the Defense Superior Service Medal with one oak leaf cluster, the Legion of Merit with Gold Star, the Defense Meritorious Service Medal with two oak leaf clusters, the Navy Commendation Medal with gold star and the Navy Achievement Medal.

Major General Lehnert has consistently shown genuine concern for those who serve in his command, regularly placing their comfort and support above his own. He and his wife, Denise, are a prototype for general officers who have the honor to follow them in command.

On the occasion of his retirement, and on behalf of the people of the United States whom he has served with courage and honor, we commemorate the exceptional service of Major General Michael R. Lehnert.

A PROCLAMATION HONORING ALEX KNECHT FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Alex Knecht showed hard work and dedication to the sport of baseball; and

Whereas, Alex Knecht was a supportive team player; and

Whereas, Alex Knecht always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Alex Knecht on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

IN HONOR AND RECOGNITION OF STAN HASSE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of Stan Haase, who recently celebrated his 85th birthday.

Stan Haase was born on July 22, 1924 in Kitchener, Ontario to Adolph Carl and Anna Caroline Haase. His parents bought a home on Cedar Street, where they raised Stan and his younger brother Gerald. The Haase family enjoyed spending their weekends together at Stan's great-grandmother's house where they took pleasure in square dancing and playing their favorite card game, pinochle. It was a spirited and loving environment in which they celebrated family and their German heritage.

At the age of eighteen, Stan Haase enlisted in the Royal Canadian Air Force to serve his country during World War II as a Chief Pilot Officer. Following his service, Stan returned home and went to work for his father as a truck driver. It was during his years as a driver that Stan met Katherine Schell. They were married on July 7, 1950. Their mutual desire to realize the American Dream began during their honeymoon when they immigrated to Detroit. After several years of hard work they became naturalized American citizens. Mr. Haase was a loving and devoted husband to his beloved wife, Katherine, for 53 years.

By September 1969, Stan and Katherine Haase had moved to a home on Newbury Lane in Parma Heights, Ohio to raise their three young sons, Greg, Woody and Rick. It was at this home that the family began to establish new family traditions, such as sharing the days' events with one another over dinner. Sundays were also a special time for the Haase family. Each Sunday Mrs. Haase created beautiful and elaborate meals while Mr. Haase entertained the family with stories of his childhood. The home on Newbury Lane was full of magic at Christmas time. Mr. Haase made Santa Claus come to life and Mrs. Haase decorated.

Mr. Haase has had several hobbies throughout his lifetime. As a licensed amateur radio operator he has spoken and forged friendships with people in 321 different countries. His skill as an amateur radio operator has won him many awards and certificates. In addition to gaining a reputation as a first-class repairman, Mr. Haase is also a computer enthusiast. Stan has built and programmed several of his home computers. He continues to be interested in learning new technology.

Madam Speaker and Colleagues, please join me in honor and recognition of Stan Haase. Stan is a charismatic and proud man. He remains deeply committed to his family and his friends. Stan's sense of humor reflects his great appreciation for life. I wish Mr. Haase a joyous 85th year and blessings of peace, health and happiness.

CONGRATULATIONS TO POSTMASTER OLA HELM

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. PAUL. Madam Speaker, Ola Helm, a 23 year veteran of the United States Postal Service, will be officially sworn in as the 24th postmaster for the Brazoria, Texas post office on Thursday, October first. I am pleased to extend my congratulations to Postmaster Helm.

Postmaster Helm began her postal career on May 10, 1986 as a letter carrier in my hometown of Lake Jackson, Texas. Over the years, Postmaster Helm held a variety of positions in the postal service, including window clerk, supervisor, coach postmaster and officer in charge at a variety of local post offices, including Danbury, Freeport, West Columbia, Sweeny and Needville.

Prior to being appointed postmaster for Brazoria, Ola Helm served as Postmaster for the Van Vleck office. She has spent the past 17 months familiarizing herself with the employees and patrons of the Brazoria post office. The people of Brazoria County are lucky to have such a dedicated and experienced postal veteran serving as postmaster, and I am pleased to once again extend my congratulations to Postmaster Ola Helm.

UNITED NATIONS HUMAN RIGHTS COUNCIL GOLDSTONE REPORT

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mrs. BACHMANN. Madam Speaker, just as the United States is a symbol of hope and freedom around the globe, Israel stands as a symbol of freedom and democracy in an area historically rampant with violence and oppression. For this reason, I am compelled to voice my strong objections to the allegations made in a recent report commissioned by the United Nations Human Rights Council and carried out by former South African Judge Richard Goldstone. The report alleges human rights violations on the part of Israel.

Madam Speaker, the U.N. Human Rights Council has long been recognized for its anti-Israel bias, so it comes as little surprise they would rubber-stamp the ''Goldstone Report'' and its findings of ''crimes against humanity'' with regard to Israel's activities in Gaza. As you may know, Israel is the only country listed on the Council's permanent agenda, which examines only supposed Israeli violations of Palestinian human rights, while ignoring the threats or actions of terrorist groups, or the nations that support them, and their calls for the destruction of other U.N. Member States. To quote Israel's Ambassador to the U.S., Michael Oren, ''Israel basically was the equivalent of being summoned to a court in which its guilt was already presumed . . . I can't think of any country in the world which would participate in such a farce of justice.''

Indeed, while this report condemns Israel's actions, it ignores the precipitating causes of Israel's self-defensive actions, concluding that Israel's military operations were ''deliberate and systematic,'' and directed at the people of Gaza as a whole, failing to acknowledge Israel's right to defend itself against terrorism, namely the thousands of rockets launched daily at its citizens. Moreover, the Goldstone Report ignores the extraordinary steps taken by Israel to minimize civilian casualties, often putting its own soldiers at greater risk to do so.

The United States and Israel have shared a close relationship of friendship, cooperation, and strategic alliance that serves as an example to the rest of the world. In order to preserve and foster this relationship, I believe it is imperative for the United States to unequivocally reject the findings of the Goldstone Report. And while recent years have unfortunately been marked by escalating armed conflict between Israel and Hamas, the United States should stand steadfast in its commitment to a free and secure Israel as the Middle East comes to embrace the liberties and freedoms of democratic societies.

HONORING DR. KATHLEEN WESTON OF KENTON AND GROSSE POINTE, MICHIGAN

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. STUPAK. Madam Speaker, I rise to recognize Dr. Kathleen Weston, a remarkable woman who has spent her life at the forefront of medical research in the field of prescription drug toxicology. Dr. Weston's work has included large-scale production development of the first Salk polio vaccine for worldwide distribution and providing legal advice on toxicology issues for a range of government agencies. At 102 years of age, Dr. Weston continues to be an active contributor to her family and community.

Dr. Weston was born in 1907 in the village of Kenton in Michigan's Upper Peninsula. Born Kathleen Shingler, she was one of four children; her father worked as a general store keeper and her mother was a school teacher. After graduating from high school, one of two in her class to do so, Dr. Weston enrolled in Northern State Normal School (now Northern Michigan University) where she graduated with a degree in biology in 1929. After beginning her career teaching biology at Munising High School, Dr. Weston joined her husband, Jean K. Weston, in enrolling in graduate school at the University of Michigan earning a master's degree in anatomy and genetics in 1934.

After taking a position teaching anatomy and physiology to nursing students, Dr. Weston enrolled in medical school at Temple University. Weston credits the nurses she taught with her acceptance to the program after the dean struck a deal that he would admit her, provided she could get the nurses to pass anatomy and physiology. All of the nurses passed and Dr. Weston graduated from medical school in 1951, one of five women in a class of 125.

Upon graduation Dr. Weston moved to Detroit with her husband who worked to develop a modern toxicology laboratory for Parke-Davis and Company. As one of five pharmaceutical companies to produce the Salk polio vaccine for worldwide distribution, the head of

Parke-Davis research recruited Dr. Weston to work on the Salk project because of her experience with microscopes and the nervous system. During the interview process Dr. Weston broke down several barriers for women—Parke-Davis agreed to pay her what it was paying other MD's working for them, far more than the salary they usually paid women at the time, and following the interview she was the first woman to ever lunch in the company's executive dining room.

As Parke-Davis began to produce the Salk polio vaccine on a large scale, Dr. Kathleen Weston directed infectious control tests of the vaccine to certify no live virus was present. She went on to become head of the Parke-Davis toxicology laboratory in Ann Arbor, Michigan. Dr. Weston considers her three years working on the Salk polio vaccine as her top scientific achievement.

Following Parke-Davis, Dr. Weston continued her work in toxicology at Burroughs-Welcome in New York and as a consultant for government agencies including the National Institute of Health and the Environmental Protection Agency in Washington, D.C. While in Washington, D.C. she also taught at George Washington University Medical School.

Dr. Weston continued to work as a consulting toxicologist until 1997. Today she is still an active reader and is currently assisting the Kenton Historical Society with their research.

Madam Speaker, Dr. Kathleen Weston has spent her life as a leader in toxicology research and as a trailblazer for women entering the medical profession. Her work with the Salk polio vaccine helped save countless lives around the world. I ask Madam Speaker, that you and the entire U.S. House of Representatives join me in honoring Dr. Kathleen Weston on the important work she has accomplished in the field of prescription drug toxicology and in her work to help record the history of her hometown of Kenton.

A PROCLAMATION HONORING ANDY ALLENSWORTH FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Andy Allensworth showed hard work and dedication to the sport of baseball; and

Whereas, Andy Allensworth was a supportive team player; and

Whereas, Andy Allensworth always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Andy Allensworth on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

HONORING CHARLES MYATT UPON HIS RETIREMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor Charles Myatt who is retiring from First Tennessee bank after a 40 year career.

In 1969, Charlie graduated from Middle Tennessee State University in Murfreesboro with a bachelor's degree in Marketing. He began his banking career with First Tennessee in Chattanooga, and his talent and understanding of business were quickly recognized. Over the course of his 19 years in Chattanooga, he was promoted to numerous leadership positions, including senior vice president and manager of the branch division, as well as senior vice president and manager of the east region of Chattanooga's correspondent division.

Charlie returned to Murfreesboro in 1988 to become First Tennessee's Rutherford County Regional President. During his 21 year tenure as Regional President, Charlie more than tripled the number of First Tennessee banking centers from three to ten locations in Rutherford County.

Throughout his career, Charlie proved to not only be an excellent banker but also a dedicated community leader. Charlie is an active member, deacon, and past chairman of the budget and finance committee at First Baptist Church in Murfreesboro. He has maintained a constant connection with MTSU, serving on numerous boards and committees, and he has been recognized as an MTSU ''Distinguished Alumnus.''

Charlie has also served as President of the Boys and Girls Club of Rutherford County, Chairman of the Rutherford County Chamber of Commerce, and Chairman of the Murfreesboro Parks and Recreation Commission.

The many awards and distinctions Charlie has received highlight his successful career, including the Daily News Journal—SunTrust Bank ''Humanitarian of the Year'' and the Rutherford County Chamber of Commerce ''Business Person of the Year.''

Charlie, I hope you enjoy a long and happy retirement with your wife, Judy, as well as your children and grandchildren.

HONORING FIRST BAPTIST CHURCH OF CARROLLTON

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. MARCHANT. Madam Speaker, I rise today to honor the First Baptist Church of Carrollton, Texas. The church is celebrating its 100th anniversary, and I would like to take a moment to speak about the history of the church and its past and present contributions to our community.

Established in 1909 by thirteen people, the First Baptist Church began its history at a missionary tent revival. The church conducted their services within the same tent of its establishment and at the home of one of its founders. On January 12, 1910, the church moved their services to an old bank building. Months following the move to the bank, the Baptist Ladies Aid Society graciously donated land to the church where the tabernacle was built. Over the next forty years, the tabernacle underwent building additions and extensive renovations to include a nursery, an education building, and parsonages.

In 1952, with guidance from Reverend Thomas B. Guinn, the church began building a larger education building south of the sanctuary. In 1955, the services were moved to the education building, and in 1957 a special auditorium was added to the building to hold the services. Twenty-nine years later the congregation would move again.

On Easter Sunday, March 30, 1986, the present-day sanctuary was opened to the public, and on this day, 2,655 people came to celebrate it. As for the former church location, it was decided the building would be transformed into the International Missions Center. The center has hosted five missionary companies which have worked in Latin countries, Korea, Vietnam, Cambodia, and Africa.

Today, the congregation has grown to have 4,500 members, and it continues to grow. With such a large congregation, the First Baptist Church has become a cornerstone of the community. The church involves itself in charity events and community programs. Under the leadership of Dr. Brent Taylor, the pastor since 1999, the church has continued programs such as the Bus Ministry which provides transportation to children and teenagers who are unable to attend service and the Friendship House which provides food, clothes, and Christmas gifts for families in need.

I am honored to represent the First Baptist Church of Carrollton and I ask my colleagues to join me in congratulating the congregation upon their 100th anniversary.

IN HONOR AND REMEMBRANCE OF MAJOR ROCCO M. BARNES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KUCINICH. Madam Speaker, Major Barnes grew up in North Olmsted and graduated from North Olmsted High School. Shortly thereafter, he enlisted in the U.S. Army, and became part of the Army's Special Forces HALO detachment. He was trained as a Special Forces Medical Sergeant, Parachutist and Infantry Officer. Following his service in the Army, he joined the Army National Guard. Major Barnes' service in the military totaled thirty-one years; during which he served two tours in Iraq and two tours in Afghanistan.

Along the way, Major Barnes earned a Bachelor's degree in English Literature. In addition to his military service, his love for books and writing led him to a civilian career in the entertainment industry in California, where he became a playwright and screenplay writer. Additionally, he utilized his military experience within the private security sector; Major Barnes was the Director of West Coast Operations for Vance International.

Throughout his service in the military, Major Barnes consistently exemplified bravery, compassion and he often and readily offered his

assistance to anyone in need, without regard to his own sacrifice. Major Barnes served as a father figure, guide and mentor to numerous young military recruits, and was like an uncle to the children of close friends. For many years, Major Barnes sponsored a child from Indonesia, sending money and letters of encouragement on a regular basis. Recently, Major Barnes was part of a successful effort to save the life a severely injured child in Afghanistan.

His compassion, unwavering integrity and professional excellence are documented in the numerous military commendations he received, including the California Medal of Merit, Bronze Star, Meritorious Service Medal, Army Commendation Medal, Humanitarian Service Award, Armed Forces Reserve Medal and the Global War on Terrorism Service Award.

Major Barnes is survived by his mother, Grace Barnes-Filo; his father, Harold Barnes; his sisters, Therese Rose Barnes, Jennifer Barnes, and Julie Keating; And, his nephew Timothy and niece, McKenzie. I also extend my condolences to his extended family members and many close friends.

Madam Speaker, and colleagues, please join me in honor and remembrance of Major Rocco Martin Barnes, whose heroic actions, kindness, generous spirit and love for those closest to him will be remembered always. Major Barnes was a courageous United States soldier, and an exceptional human being. His life, gone too soon, was framed by his great love for family, friends and country. The significant sacrifice, service, courage that defined the life of Major Barnes will be honored and remembered by the entire Cleveland community, and our Country.

A PROCLAMATION HONORING BILL RUEGSEGGER FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Bill Ruegsegger showed hard work and dedication to the sport of baseball; and

Whereas, Bill Ruegsegger was a supportive team player; and

Whereas, Bill Ruegsegger always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Bill Ruegsegger on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

TRIBUTE TO ST. ANTHONY OF PADUA R.C. CHURCH

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the work of an outstanding religious institution, St. Anthony of Padua R.C. Church in Paterson, New Jersey, which is celebrating its 100th Anniversary of dedicated service to its parishioners, and by extension, the greater community.

It is only fitting that St. Anthony of Padua R.C. Church Parish be honored in this, the permanent record of the greatest democracy ever known, for the spiritual home it has provided to American families, especially those just embarking on their path to the American dream, and the dedication to the entire community that helps keep this deeply rooted parish family growing towards the future.

On December 8, 1909, the feast of the Immaculate Conception, Salesian Father John Focacci, founding pastor, celebrated the first Mass in a small wooden building on Beech Street, Paterson. The parish was then called Saint Anthony of Padua Mission Church. From this humble beginning, Saint Anthony's ministered to the needs of a growing Italian immigrant population in the Sandy Hill section. Over the years, Saint Anthony's developed into a modern ecclesiastical and educational complex, the result of many sacrifices, hard work and dedication of its loyal parishioners.

Marking its 100th anniversary, Saint Anthony's finds itself once again tending to the spiritual and material needs of immigrants, this time from the Caribbean and Central and South America, seeking to realize the American Dream, parish services now echo English, Italian, and Hispanic voices, and trilingual choirs enrich the festive liturgies.

The parish has built its tradition by giving its parishioners spiritual roots in their neighborhood, providing a deep sense of community to those who have grown in the Church, receiving their sacraments there, as well as welcoming newcomers to the surrounding area. The St. Bonaventure's parish family has expanded throughout the years to include many parishioners who have moved out of the neighborhood, but return with their families to worship at the parish. I am certain that St. Anthony of Padua R.C. Church will continue to thrive and enrich not only those who worship there but so many others in need throughout the area.

The Salesian Fathers have withdrawn from the parish after more than a century of service. St. Anthony School closed its doors after 85 years as an educational Mecca to the neighborhood. Diocesan clergy now serve for the first time. Maintaining the parish's physical plant, especially the beauty of the House of God, is a constant financial concern. Despite these challenges, Saint Anthony's continues undeterred in its mission, facing the uncertain future with hope and confidence in the parish and their faith. St. Anthony's remains a living monument to those who came before and those who are still here.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to learning about and recognizing the efforts of wonderful, thriving communities like St. Anthony of Padua R.C. Church Parish.

Madam Speaker, I ask that you join all of the parishioners and clergy of St. Anthony of Padua R.C. Church Parish, all those whose faith has been enriched throughout the years, and me in recognizing the outstanding contributions of St. Anthony of Padua R.C. Church Parish to the church community and beyond.

HALL OF FAMER HAL McCOY LEAVES THE PRESS BOX

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. TURNER. Madam Speaker, as the Cincinnati Reds wind down their 2009 season, many in Dayton and southwest Ohio are feeling a sense of loss for the departure of the Reds' best known sports writer, Hal McCoy, who retires next week.

To call Hal McCoy an institution in sports journalism is somehow not giving him due credit. Hal McCoy is the Reds to the readers of the Dayton Daily News. He's been on the Reds' beat for 37 years—longer than any other sports reporter following a single team.

His ''Real McCoy'' blog on the Dayton Daily News site notes ''McCoy has covered more than 7,000 major-league baseball games, written close to 18,000 baseball stories and eaten enough hot dogs to give Babe Ruth indigestion.''

An honors graduate from Kent State University's School of Journalism, Hal McCoy has 43 Ohio and national writing awards. Most appropriately, he is also a member of the writer's wing of the National Baseball Hall of Fame in Cooperstown, NY.

Hal McCoy's retirement comes as the Dayton Daily News ceases its special reporting on the Cincinnati Reds due to budget limitations. As McCoy put it, ''I'll finish the season covering the Reds and baseball, the last hurrah, then say my final goodbyes. They're putting me out to pasture. I only wish it was center field.''

While he notes retirement is not something he looks forward to, Hal McCoy admits he may still do some writing for the Dayton Daily News. We hope so. Good luck and thanks for everything, Hal.

HONORING STANLEY L. STRAUGHTER

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor my friend Stanley L. Straughter, Chairman of the Mayor's Commission on African and Caribbean Immigrant Affairs. Throughout his thirty year career, Stanley has been dedicated to the cause of international development and the betterment of those living in his community.

Having lived and worked in various places around the world, including Africa, Asia, Russia, and the Caribbean, Stanley has a long history of working with foreign nations to promote economic development. Stanley has worked with foreign governments on transparency and financial issues, trade policy, and foreign direct investment. Among his many roles, Stanley serves as an advisor to the World Conference of Mayors, as Senior Finance Advisor to Niger and Togo, and as a Senior Advisor to the African Development Bank.

In addition to Stanley's exceptional work in international development, he is also a committed member of other groups and organizations. Stanley is a member of various national

and international organizations, such as African American Unity Caucus, the Foundation for Hospice in Sub-Saharan Africa, and the Global Interdependence Center. Stanley is also a member of organizations founded to improve his local community. He is a member of the Housing Association of Delaware County, the Philadelphia Revitalization and Education Program, and the Greater Philadelphia Chamber of Commerce.

In recognition of Stanley's hard work, he will be presented with the Outstanding Community Leader Award at the Laborers' Local 332 Friends of Labor Committee's Annual Black Tie Charity Dinner.

Stanley's impressive career proves a longstanding commitment to the cause of international development. His extensive work showcases his dedication to the improvement of the international community, as well as his local community.

IN RECOGNITION OF MAYOR THOMAS LONGO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Mayor Thomas Longo, as he retires from his position of Mayor of Garfield Heights, Ohio. For 25 years, Mayor Longo served his constituents with dedication, vision and sincere concern for the people of Garfield Heights, Ohio.

In 2006, after 23 years, Mayor Longo was officially recognized as the longest-serving mayor in Garfield Heights history. He is also recognized as the third-longest serving mayor in Cuyahoga County.

Before being elected mayor, Mayor Longo worked for nearly 20 years as a marketing executive with the former Ohio Bell Telephone Company. In 1975, he was elected to serve on the Garfield Heights City Council, representing the city's 4th Ward. In 1983, Mayor Longo left Ohio Bell upon his election as mayor of Garfield Heights, and successfully retained his seat in every successive election.

In conjunction with his service as the Mayor of Garfield Heights, Mr. Longo holds a seat on the Northeast Ohio Regional Sewer District board of trustees. He also serves as vice president of the Cuyahoga County Planning Commission. Throughout his career, Mayor Longo's vision and tenacity has become a reality, reflecting in several civic milestones that continue to benefit residents of all ages. Some of Mayor Longo's most noteworthy achievements include the building of the Garfield Heights Civic Center, Recreation Center, and Service Department garage, as well as the addition of a new fire station. Moreover, Mayor Longo's genuine love of the people of Garfield Heights is evidenced by his compassionate leadership and consistent willingness to reach out and assist families or individuals in need.

Madam Speaker and colleagues, please join me in honor and recognition of Mayor Tom Longo, as he retires from the role of Mayor of Garfield Heights, reflecting 25 years of loyal and dedicated service to the city and residents of Garfield Heights, Ohio. I wish Mayor Longo, and his entire family, an abundance of health and happiness as he journeys onward from here.

A PROCLAMATION HONORING BOBBY HALL FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Bobby Hall showed hard work and dedication to the sport of baseball; and

Whereas, Bobby Hall was a supportive team player; and

Whereas, Bobby Hall always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Bobby Hall on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

TRIBUTE TO PASTOR CLEO O. ALBURY, JR.

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. MEEK of Florida. Madam Speaker, I rise to pay tribute to the late Pastor Cleo O. Albury Jr., a beloved community leader, public servant and religious leader in my district. Pastor Albury was the pastor at Bible Missionary Baptist Church of Miami, Florida.

Pastor Albury, a Miami, Florida native, was an honor graduate of Booker T. Washington High School, attended Florida Agricultural & Mechanical University and graduated from the Southern Baptist Seminary Extension. Moreover, Pastor Albury was one of the first African-American Floridians to solo an aircraft in the United States Air Force.

Having dedicated his life to the church community, Pastor Albury began his pastoral career as pastor of the Mount Sinai Baptist Church from 1969 to 1973, and followed as pastor and charter member of the Bible Baptist Church until 1999.

As pastor of Bible Missionary Baptist Church, Pastor Albury organized a $2 million dollar facility development program for the church and the community; instituted a food bank to combat hunger in Miami-Dade County; and created a contingency fund for the unemployed and needy in Miami-Dade County through the church. Pastor Albury's other community and religious involvement included: former member of Evangelism Task Force for Southern Baptist Convention, former board member of Direct Action and Research Training Center, D.A.R.T., former board member of People United to Lead the Struggle of Equality, P.U.L.S.E., and he led the 1983 missionary teaching and ministry program for the churches in Ghana, West Africa.

Madam Speaker, I ask you and all the members of this esteemed legislative body to join me in recognizing the extraordinary life and accomplishments of Pastor Cleo O. Albury Jr. Pastor Albury's life was a triumph, and he was blessed with a loving family who took pleasure in every aspect of his life and his interests. I commend him for his dedication to both Bible Missionary Baptist Church and the Baptist community as a whole. He will be missed by all who knew him, and I appreciate this opportunity to pay tribute to him before the United States House of Representatives.

ON THE RETIREMENT OF DR. MACK KING CARTER AS SENIOR PASTOR OF NEW MOUNT OLIVE BAPTIST CHURCH IN FORT LAUDERDALE, FLORIDA

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. HASTINGS of Florida. Madam Speaker, I rise today to honor the life and career of Dr. Mack King Carter, Senior Pastor of New Mount Olive Baptist Church in Fort Lauderdale, Florida on the occasion of his retirement. New Mount Olive, founded in 1918, was extremely fortunate to receive Dr. Carter as co-pastor in August 1981. Dr. Carter has led the congregation since November 1982.

Dr. Carter, a native of Ocala, Florida, received a Bachelor of Arts degree from the University of Florida in 1970, a Master of Divinity degree in 1976 and a Doctorate of Ministry degree in 1978, both from Southern Baptist Theological Seminary. He has done additional studies at Florida Memorial College and has received honorary doctorate degrees from Florida Memorial and Bethune Cookman College.

Dr. Carter is considered one of America's great African American ''pulpiteers.'' His travels have taken him throughout the United States and abroad, preaching, teaching and lecturing. A talented educator and popular speaker, his classes at the National Baptist Convention Congress of Christian Education are filled to capacity with preachers and lay persons who come to hear one of God's master teachers. The consummate theologian, he is considered a ''preacher's preacher.''

During his long career, Dr. Carter served three churches in Ocala, Florida and one in Prospect, Kentucky before coming to New Mount Olive. A great writer in addition to his other talents, he has authored four books: A Catechism for Baptists, To Calvary and Beyond, A Quest for Freedom and Interpreting the Will of God.

In his younger days, Dr. Carter was a huge fan of the New York Yankees. Everyone in the New Mount Olive family and visitors through the years fondly recall his greeting, ''We're deliciously proud to have you.'' Since 1973, he has been the devoted husband of Patricia A. Thomas Carter and is the proud father of two wonderful daughters, Annalisa Robinson-Melton and Pamela Latrice Johnson. He is also the doting grandfather of Brittany N. Robinson and Carter Nathaniel Johnson.

Madam Speaker, it has been a great joy for me and this congregation to have Dr. Carter as a friend, supporter, comforter and mentor. I wish him the very best on his retirement.

HONORING THE SERVICE OF THE LIBRARY OF CONGRESS POLICE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, as Chairman of the Committee on House Administration in conjunction with Ranking Member DANIEL LUNGREN, we want to take a few moments to recognize and say thank you to the Library of Congress Police, who will be formally merged into the U.S. Capitol Police force on October 1, 2009.

The Library of Congress, founded by Congress in 1800, is not only the Nation's oldest federal cultural institution and research arm of the Congress, it is an unparalleled multimedia world resource containing more than 142 million items in its collections with more and more information in digital form, including numerous documents concerning the founding of the Nation and its history.

The Library's collections, buildings, and dedicated staff are widely known and respected and protecting these resources has been both the mission and achievement of the Library of Congress Police. Security at the Library, like other U.S. public institutions, includes protecting facilities, staff and visitors. Uniquely, the Library of Congress must also protect—for the present and future use of Congress and the Nation—the largest, richest and most diverse collection of recorded knowledge ever assembled.

In the early days, Library of Congress buildings and grounds were policed by building guards commissioned as special policemen. In 1950 the Librarian of Congress was given statutory authority to designate Library of Congress special police as employees of the Library. In 1987 Congress authorized that the Library Police rank structure and pay be made comparable to the Capitol Police and began in the 1990's considering whether the two police forces should be merged. Over time, the Library Police became an integral and critical part of the Library's interlocking structure to protect not only people and buildings but the priceless collections from a variety of threats. With the Oklahoma City bombing in 1995, the 1998 shootings of the Capitol Police officers at the Capitol and especially after the September 11 terrorist attacks, Congress mandated significant security upgrades in the Capitol complex, including the Library of Congress. Finally, in the interest of security uniformity, the President signed into law PL 110–178 in 2008, formally merging the Capitol and Library of Congress police forces, providing, after a transition period, for completion by October 1, 2009.

Over many years, the Library Police have provided exemplary security and law enforcement for the Library of Congress. Library Police have demonstrated the highest level of dedication and excellence in both fulfilling their public safety mission and protecting the Library's irreplaceable collections.

As the force is now merged into the Capitol Police, it marks the end of the storied era of the Library of Congress Police as a distinct entity.

We ask our colleagues to thank them. We want every member of the force, past and present, to know how much we in the Congress have valued their service and professionalism.

IN HONOR AND REMEMBRANCE OF UNITED STATES NAVY ENSIGN MATTHEW RICHARD MCFARLAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of United States Navy Ensign Matthew Richard "Uncle Buck" McFarland, who courageously and selflessly rose to the call to duty and made the ultimate sacrifice in service to his country.

Matthew McFarland was born on April 1, 1922, the youngest of eight children. Affectionately known as "Uncle Buck" by his family, Ensign McFarland's parents, Hugh McFarland and Grace O'Reilly, and siblings, Hugh, Joseph, Katherine, Margaret, Mary Grace, John and Andrew, were a close family with a strong connection to the Catholic faith. At Holy Name Church, Ensign McFarland served Mass every morning as a child until the day before he entered the Navy. Before entering the Navy Reserves in 1943, he worked at Otis Steel in Cleveland. In 1944, he earned the rank of Naval Aviator and trained for flight in a Fighting Squadron. In 1947, Ensign McFarland was posthumously awarded the WWII Victory Medal by the United States Navy Chief of Naval Personnel.

He died while serving our country on February 15, 1945 at the age of 22. Navy Ensign Pilots, McFarland and Lt. Battenfeld vanished from the sky during a routine flight from Sand Point Naval Air Station in Washington State. Seven months later the wreckage was discovered on the side of a mountain. For more than 60 years, the bodies of the young soldiers rested in a temporary grave, buried among rock and forestry, their names engraved on the flat surface of a boulder and a cross carved at the base of a tree nearby.

Members of the U.S. military's Joint POW/MIA Accounting Command Team led the effort to return Ensign McFarland and Lt. Battenfeld to their families and permanent places of rest. Members of the Army Reservists from the 737th Transportation Company volunteered in the effort. On September 25, 2009, the body of Navy Ensign Matthew McFarland returns home to Cleveland, Ohio, where friends and family will gather in his honor and memory.

Madam Speaker, and colleagues, please join me in honor and remembrance of Navy Ensign Matthew Richard "Uncle Buck" McFarland, whose service to our nation will be honored and remembered by the Cleveland community. Though sixty-four years have passed, the memory of Ensign McFarland will remain in the hearts of his many nieces, nephews, cousins and friends.

A PROCLAMATION HONORING BRENNAN SOKOWOSKI FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Brennan Sokowoski showed hard work and dedication to the sport of baseball; and

Whereas, Brennan Sokowoski was a supportive team player; and

Whereas, Brennan Sokowoski always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Brennan Sokowoski on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

HONORING BISHOP T. GARROTT BENJAMIN, JR., D. MIN., SENIOR PASTOR OF LIGHT OF THE WORLD CHRISTIAN CHURCH FOR OVER 40 YEARS OF LEADERSHIP AND SERVICE

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. CARSON of Indiana. Madam Speaker, I rise today to honor Bishop T. Garrott Benjamin, Jr., Deacon Minister and Senior Pastor of the Light of the World Christian Church in Indianapolis.

For the past 40 years, Bishop Benjamin has exhibited bold and charismatic leadership on behalf of his congregation and his community. His efforts on behalf of the World Christian Church have made his congregation one of the most active and well respected in the city. Through his dedicated service, Bishop Benjamin has earned a reputation as a formidable advocate on behalf of poor minorities, fighting unceasingly for racial justice across Indianapolis.

At a time when committed and compassionate leadership is much too rare in public life, Bishop Benjamin's indomitable spirit continues to inspire generations to improve our communities and serve their neighbors through Christian ministry. Thousands of local residents have been touched by Bishop Benjamin and his congregation, a number that continues to grow daily.

Today, I ask my colleagues to join me in honoring Bishop Benjamin for his 40 years of dedicated leadership and service as the esteemed Pastor of Light of the World Christian Church in Indianapolis, Indiana.

INTRODUCTION OF THE FEDERAL JUDGESHIP ACT OF 2009

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. JOHNSON of Georgia. Madam Speaker, today I am introducing the Federal Judgeship Act of 2009, which calls for the creation of additional federal judgeships in the courts of appeals and district courts.

The United States legal system is the envy of the world. Our legal system has historically provided fair, timely, and expert adjudication of civil disputes and criminal prosecutions for hundreds of years. There are, however, a number of challenges facing our federal legal system that must be addressed if it is to maintain the standard of service our citizens expect and deserve. One of these challenges is an overworked judiciary.

Many of our federal courts are in desperate need of new judges. It has been nearly 19 years since Congress has passed a comprehensive judgeship bill. In this time, caseloads for district courts have gone up 31 percent and the caseloads for appeals courts have gone up 38 percent, placing significantly increased demands upon our federal court system. This unfairly burdens our judges and leads to delays in the administration of justice. If we are to avoid realization of the old adage, "justice delayed is justice denied," we must not delay in providing our judiciary with the resources it needs.

The Federal Judgeship Act of 2009 calls for 12 additional court of appeals judgeships and 51 additional district court judgeships. The number of judgeships called for in this legislation mirrors those called for by the Judicial Conference of the United States in its 2009 recommendations.

The Judicial Conference's recommendations are based on a comprehensive analysis of the workload of federal judges, which took into consideration not only the number, but also the nature and complexity of the cases before the various courts. According to this analysis, the average weighted case filings for the 25 district courts receiving additional judgeships under this bill were 573, while the target number of case filings is only 430. In other words, the workload before these courts is 133 percent of what is considered the normal capacity of these courts. Clearly, this is stretching our judiciary beyond reason.

In the interests of timely and effective administration of justice, we must pass comprehensive judgeships this Congress. I thank my colleagues Representatives JOHN CONYERS, SILVESTRE REYES, SHEILA JACKSON-LEE, and ROBERT WEXLER, who have worked with me on this very important piece of legislation. I also ask the rest of my colleagues in the House of Representatives to support rapid passage of this legislation.

CONGRATULATING CLARKSVILLE POLICE CHIEF GREG DONALDSON

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. BOOZMAN. Madam Speaker, I would like to congratulate Clarksville Police Chief Greg Donaldson for his service to protecting the public, upholding the law and his vision for community involvement in helping find missing children. For his dedication and commitment, Chief Donaldson has been named the Arkansas Association of Chiefs of Police, AACP, 2009 Chief of the Year. Chief Donaldson shares this honor with the community, telling the Russellville Courier that "Without the employees here and the members of the community, I could have never been chief of the year," he said. "It would be easy for me to say, 'I have this award, and this award is about me,' but it belongs to the whole community."

Chief Donaldson is continuously putting the community first, as a police department employee for two decades, serving in a number of roles including dispatcher, patrol officer, investigator, supervisor, Sergeant and for the last 21 months as Chief.

At the helm of the department Chief Donaldson has implemented new and innovative programs including partnering with Morgan Nick Foundation for the "Picture Them Home Campaign" that puts pictures of missing children on patrol cars. The Clarksville Police Department was the first to do this and since then several other law enforcement agencies have followed. In recognition of the department's efforts Chief Donaldson and the Clarksville Police Department was awarded the "2009 Morgan's Choice Award." Chief Donaldson is always looking for ways to make an impact on the community. "The day I walk out the door, I want people to be able to say 'he made a difference in the lives of children and grandchildren.' If they say that, I've done my job," he told the Russellville Courier.

It is clear he has done that and I am confident that will continue. I commend Chief Donaldson for his service as well as his good work and wish him continued success in the future. I ask my colleagues today to join with me in honoring Greg Donaldson, a wonderful public servant, who is and always will be dedicated to the people of Clarksville.

IN HONOR OF WALTER STRINE, SR.

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SESTAK. Madam Speaker, I rise to honor the remarkable life of Walter Strine, Sr., who passed away on September 22, 2009 at the age of 100.

A living example of the Horatio Alger ideal, Mr. Strine was trained as a bricklayer at the Williamson Free School of Mechanical Trades, from which he graduated in 1929. It was at Williamson—established in 1888 to provide financially disadvantaged young men with the opportunity to become productive and respected members of society—that the foundation of a very successful life was laid. From there Walter Strine embarked on a career that included teaching, real estate development and philanthropy. In each aspect of his exceptional life he reflected very proudly on the virtues and skills he learned at Williamson. His work ethic, intellect, devotion to family and community were unmatched and left the most positive, lasting impression on everyone who knew him.

Married to the love of his life, Elizabeth Sterling Strine, for over 70 years and the father of Walter Jr. and William—both talented and successful men in their own right—his life could not have been fuller. He was inordinately generous to Williamson—where he was responsible for the construction of the Strine Learning Center and he was a member of the Board of Trustees for 25 years.

His vision, basic decency and business acumen shaped the Borough of Media, Pennsylvania into one of the most livable and prosperous communities in our Commonwealth. In addition to his work developing the area's commercial district, he also purchased the Media Theater and transformed it over time into a center for the Performing Arts that is a showcase for local talent and venue for residents from throughout Delaware County to gather in the company of one another.

I cannot imagine a better life than the one lived by Walter Strine, Sr. The results of his work abound in his hometown, he made a great and better difference in the lives of thousands and he was loved and respected. He will be sorely missed.

A PROCLAMATION HONORING CHASE BURCHER FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Chase Burcher showed hard work and dedication to the sport of baseball; and

Whereas, Chase Burcher was a supportive team player; and

Whereas, Chase Burcher always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Chase Burcher on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

EARMARK DECLARATION

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. BISHOP of Utah. 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. 2265, the Magna Water District Water Reuse and Groundwater Recharge Act, 2009.

Requesting Member: ROB BISHOP

Bill number: H.R. 2265

Account: Title XVI of Public Law 102–575, the Reclamation Wastewater and Groundwater Study and Facilities Act

Legal name and address of requesting entity: Magna Water District, located at 8600 W. 2711 S., PO Box 303 1, Magna, Utah 84044

Description of project: $12,000,000.00 to allow for the planning, design and construction of the Magna Water District water reuse and groundwater recharge project.

HONORING THE YALE WHIFFENPOOFS OF YALE UNIVERSITY ON THEIR CENTENNIAL ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Ms. DELAURO. Madam Speaker, it gives me great pleasure to rise today to extend my sincere congratulations to the Yale Whiffenpoofs—the oldest continuous collegiate a cappella singing group in America—as they celebrate their centennial anniversary.

The Whiffenpoofs of Yale University were first formed at the old Mory's Bar on Temple Street in New Haven, Connecticut one hundred years ago by 5 men, Denton Fowler, James Merriam Howard, Carl Lohmann, Meade Minnigerode, and George Pomeroy, where they performed weekly concerts. Thus began one of Yale University's most celebrated and hallowed traditions.

Each year, fourteen men are selected to participate in this time honored institution and are asked to make an international tour to U.S. Embassies, foreign capitals, palaces, churches, and the smallest of villages on every continent. These outstanding songsters serve as ambassadors of song and goodwill on behalf of Yale University, college students, and the United States. The Whiffenpoofs also stand as a model for a cappella singing groups formed at colleges and universities across America.

The Whiffenpoofs are perhaps best know for the ''Whiffenpoof Song''—an unpublished setting of Rudyard Kipling's ''Gentlemen-Rankers.'' The ''Whiffenpoof Song'' was the adopted theme song of the brave men of the Black Sheep Squadron of the U.S. Army Air Force in World War II and, over the years, has been recorded by some of America's greatest artists including Bing Crosby, Ella Fitzgerald, Louis Armstrong, and Elvis Presley. We could not be more proud of all that this wonderful singing group has accomplished over its 100-year history.

For their many contributions to our community and for all the joy they have brought to audiences around the world, I am very proud to stand today to extend my heartfelt congratulations to the Yale Whiffenpoofs as they celebrate their 100th Anniversary. I wish them all the best for another century of song, tradition, fellowship, and friendship.

A PROCLAMATION HONORING DUSTY BYERS FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Dusty Byers showed hard work and dedication to the sport of baseball; and

Whereas, Dusty Byers was a supportive team player; and

Whereas, Dusty Byers always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Dusty Byers on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

PERSONAL EXPLANATION

HON. CHRISTOPHER P. CARNEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. CARNEY. Madam Speaker, on Tuesday, September 22, I was absent for three rollcall votes. If I had been here, I would have voted: ''yes'' on rollcall vote 720, ''yes'' on rollcall vote 721, and ''yes'' on rollcall vote 722.

HONORING DIANE LYNCH

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. JONES. Madam Speaker, I rise today to pay tribute to Diane Lynch, a great North Carolinian and a great educator, upon the occasion of her August 31st retirement from the Public School System in my State.

All of us in Congress know, or should know, that educating our youth is key to insuring a prosperous future. Diane Lynch, of the Moss Hill Community of Kinston, North Carolina, dedicated her entire working life—some thirty-six years—to the ideal of imparting the very best education possible to young people.

For Diane, educating young people was an imperative that she fulfilled tirelessly every day, even when doing so was sometimes thankless and unappreciated. Diane Lynch is an example to all of us of the power of personal commitment. Her professionalism, dedication, perseverance and love served very well, not only her students and co-workers, but also the hundreds of families whose lives she touched and improved.

Starting as a teacher in 1973, and then rising to Assistant Principal, then Principal and finally to Associate Superintendent, Diane's career spanned thirty-six years. Her energy and love of education will be sorely missed.

Congratulations to Diane Lynch for her long and valuable service.

Madam Speaker I ask that an article about Diane Lynch's retirement, which appeared in the August 18, 2009 edition of the Kinston Daily Free Press be submitted in its entirety.

[From the Kinston Daily Free Press]

SAYING GOODBYE

(By Chris Lavender)

Diane Lynch, long-time teacher and principal and current associate superintendent of Lenoir County Schools, will soon say goodbye to a career she has developed for the past 36 years.

Lynch will retire from the school district Aug. 31, after making a decision this summer to walk away. Lenoir County Schools Superintendent Terry Cline announced Tuesday that Lynch had decided to retire.

The announcement was made during a Lenoir County Schools opening ceremony for staff held at Kinston High School. A majority of those in attendance weren't aware Lynch was stepping down, Cline said.

Cline said the school board members were notified last Thursday of Lynch's retirement plan. On Monday, the school district's senior central staff and principals were notified. Lynch said there was no specific reason she decided to retire this month.

''It's just the right time,'' she said.

Lynch said she plans to stay active in the school district until her final day. Lenoir County schools open for students Tuesday. She said she plans to visit several schools during opening week.

Cline said he was reluctant to accept Lynch's retirement because of her value to the school district.

''I am happy for her but it's a sad day for Lenoir County Schools,'' Cline said. ''I can't replace her because she is a very special lady.''

Cline said he hasn't decided yet if the school district will hire an interim or full-time associate superintendent. A decision will come in the next few months. Cline said.

Lynch began her career during 1973 with Wayne County Schools, where she taught elementary school. After several years there, she continued her career at Moss Hill Elementary School in Lenoir County. She taught at Moss Hill for nine years.

Lynch later became assistant principal at La Grange Elementary School and then principal at Northwest Elementary School for 13 years. For the past three years, Lynch has served as associate superintendent.

During her career, Lynch said she strived to help students excel and reach their goals. The personal connections she made with her students will last forever, she said.

''I am always satisfied when I see my former students in the community and we talk about good times,'' Lynch said. ''I was always fair and consistent and worked to earn the respect of my co-workers.''

Lynch said she doesn't know what she will do during her retirement. She said she is looking forward to a break from the daily grind.

''I'm going to rest for a few months,'' Lynch said.

During their five years together, Cline said he developed a strong working relationship with Lynch.

''We cried and laughed together,'' Cline said. ''There were things that I told her that I didn't tell my wife because I didn't want to get my wife involved in the politics. Superintendents have very lonely positions.''

Lynch acknowledged she had a great working relationship with Cline. She thanked him for working to make Lenoir County Schools a better place for students.

MINNIE LOUISE THOMPSON GARDNER

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. INGLIS. Madam Speaker, October 8, 2009 marks the 100th anniversary of Minnie Louise Thompson Gardner. She departed this life on Sunday, January 7, 2007. Her life was committed to God, service to family. Friends and community.

Early in her youth, she accepted Christ and united with Springfield Baptist Church, where

she became active in the Choir, Usher Board, Baptist Student Union and the Missionary Society. Minnie worked faithfully until the birth of her children and care of ailing parents curtailed her involvement. However, her dedication and faithfulness to the legacy and growth of the church during her more than 80 years of membership remained constant. Life led Minnie toward employment within the field of hospitality. She retired from public service as the head cook of the Holiday Inn Chain of Greenville, South Carolina.

Minnie attended Greenville County public schools and was among the first graduating class of the Sterling Normal and Industrial Institute in 1927. During this time, she was a founding member and soloist of the Marian Anderson Music Club. Minnie was also a founding member of the Hattie Duckett Cultural Club. She was recognized in 1998 by the Phillis Wheatley Center and American Federal Bank for sharing her story as an outstanding member of the Phillis Wheatley basketball team. Following high school, Minnie continued her education at Benedict College, where she was awarded a Teacher's Certificate.

Minnie's lifelong commitment to family was evident in the foundation that she laid to promote personal and professional success of her children and children in the community. SHARE recognized Minnie as a community leadership icon and legendary human advancement advocate for her service to the antipoverty/Community Action movement in upstate South Carolina. In response to her long-standing dedication to the community, the Thompson-Gardner Park in the newly developed Viola Street Community was dedicated in her honor by the City of Greenville on July 11, 2005.

The Minnie Gardner College Fund for the CDC Agency for Toxic Substance Disease Registry Chapter of Blacks in government and the Minnie L. Gardner Scholarship have been established since her death.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF AUBURN UNIVERSITY AT MONTGOMERY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. ROGERS of Alabama. Madam Speaker, I respectfully request the attention of the House today to pay recognition to an important educational institution in Montgomery, Alabama, as it celebrates 40 years of excellence in higher education.

In September 1969, the doors to Auburn Montgomery were formally opened to students. Since that time, the student population has grown by a factor of nine and the areas of study from sixteen to over 90. Through its 40 years, Auburn Montgomery has conferred more than 31,000 degrees.

Like so many of East Alabama's proud institutions of higher education, Auburn Montgomery has produced great leaders and thinkers who have made enormous contributions to our state and our nation. We are all proud of AUM for achieving this important milestone, and look forward to its continued growth and prosperity in its next 40 years of academic excellence.

PERSONAL EXPLANATION

HON. CHRISTOPHER P. CARNEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. CARNEY. Madam Speaker, I was unable to be here to cast my vote in support for the Unemployment Compensation Extension Act, but I strongly support the targeted extension of unemployment benefits provided by H.R. 3548.

The 314,000 Americans set to lose unemployment insurance this month—and the more than 1 million who will exhaust their benefits by the end of the year—need help to avert an even bigger financial tragedy, such as the loss of their home or a medical bankruptcy, which would ripple out into our larger economy.

Extending these benefits is a cost-effective and efficient way to stimulate the economy. Every $1 spent on unemployment benefits generates $1.63 in new economic demand. Not only does it help the unemployed worker stay on top of their bills, it keeps capitol flowing through small businesses and keeps the larger economy on the right track to recovery.

A PROCLAMATION HONORING JAMIE BURCHER FOR WINNING THE BOYS' DIVISION III STATE BASEBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SPACE. Madam Speaker:

Whereas, Jamie Burcher showed hard work and dedication to the sport of baseball; and

Whereas, Jamie Burcher was a supportive coach; and

Whereas, Jamie Burcher always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Jamie Burcher on winning the Boys' Division III State Baseball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2008–2009 baseball season.

CRANIOFACIAL ACCEPTANCE MONTH

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. ROSS. Madam Speaker, I am pleased to share my support and acknowledgement of September as Craniofacial Acceptance Month.

Each year, approximately 100,000 children are born in the United States with some form of facial disfigurement. In many cases, reconstructive surgeons can correct these problems early—often while the children are still infants. In other cases, however, reconstruction is not as easy or even possible.

The Children's Craniofacial Association (CCA) is an organization that supports these children and their families. Nationally and internationally, CCA addresses the medical, financial, psychosocial, emotional, and educational concerns relating to craniofacial conditions. CCA's mission is to empower and give hope to individuals and families affected by facial differences. I am honored to acknowledge that 2009 marks their 20th anniversary and am pleased to share my support and thanks for their designation of September as Craniofacial Acceptance Month.

In 2001, my constituent Wendelyn Osborne brought the craniofacial disorders issue to my attention. At a young age, Wendelyn was diagnosed with Craniometaphyseal Dysplasia (CMD). CMD is a rare disorder that affects only 200 people worldwide. Specifically, CMD involves an overgrowth of bone which never deteriorates. In Ms. Osborne's case, this caused an abnormal appearance, bilateral facial paralysis and deafness. Other cases can include those characteristics, as well as blindness and joint pain. Wendelyn has undergone many extensive reconstructive surgeries to counteract the medical difficulties that comprise her disorder.

Unfortunately, the majority of reconstructive surgeries, such as those Wendelyn has undergone, are not covered by insurance companies. Rather, many of them are treated as strictly cosmetic. As a result, individuals are forced to fight their insurance companies just to receive the life-saving surgeries they need. The fact that these surgeries have been grouped in the same ''cosmetic'' category as surgeries that simply make people look better or younger is a tragedy.

It is my hope that further education and understanding of craniofacial disorders will allow our nation to move forward and update existing laws to better meet the medical needs of those needing reconstructive, not cosmetic, surgery. I urge my colleagues—especially in a year focused on health care reform—to join in this effort and help recognize these conditions through Craniofacial Acceptance Month so that all Americans can access the care they need.

TRIBUTE TO THE CITY OF JONESBORO'S 150TH ANNIVERSARY

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. BERRY. Madam Speaker, I rise here today to pay tribute to the City of Jonesboro on the 150th anniversary of its establishment. I stand to recognize this milestone in the City of Jonesboro's history and reflect on how far this community has progressed.

The City of Jonesboro is located in Craighead County, which was created in 1859. Despite the opposition of State Senator Thomas Craighead, the Arkansas Senate created the new county from parts of Greene, Mississippi, and Poinsett Counties. In an effort of goodwill, State Senator William Jones, who represented St. Francis and Poinsett Counties and was a proponent of the bill, named the new county after Senator Craighead. In return, once the county seat of Jonesboro was established that same year, it was named in honor of Senator Jones.

In 1860, historical records indicate Jonesboro had a population of 50. Currently,

the city is a bustling community approaching 60,000 people and has grown to become one of the strongest economic centers in the state. Jonesboro is known for award winning school districts, Arkansas State University, outstanding medical centers, and a regional destination for arts and entertainment. Jonesboro is an outstanding community to me and I am honored to represent all of the wonderful people who call Jonesboro their home.

Over the past 150 years Jonesboro has seen many changes but one thing remains the same—the people of this city, throughout good times and bad, have always come together to cherish, celebrate and support one another. This is what makes the community unique and it is their key to success. I am certain the City of Jonesboro has a bright future and will continue to be the cornerstone for prosperity in our state.

BILL OF RIGHTS FOR THE NEW MILLENNIUM

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. DUNCAN. Madam Speaker, Billy Stokes is the founder and senior partner of the law firm of Stokes, Williams, Sharp and Davies in Knoxville, Tennessee. He was one of the highest-ranking state officials during the administration of former Governor Don Sundquist.

Like most Americans today, he is worried about our Country's future. He has given a lot of thought to where we are and where we are headed as a nation, and he has written to me with a proposal for a "Bill of Rights for the New Millennium."

BILL OF RIGHTS FOR THE NEW MILLENNIUM

I. WE THE PEOPLE OF THE UNITED STATES:

This means all of us;

II. IN ORDER TO FORM A MORE PERFECT UNION:

We pledge to cooperate and communicate with members of the opposing party to address and to resolve issues affecting our Nation in a civil manner;

Communication and cooperation does not require abandoning our core principles;

The Federal Government will not impose its will on state and local governments;

III. ESTABLISH JUSTICE:

The right of the people to seek redress and remedy in the Courts will not be impeded;

Those who seek to demean or simply profiteer by abusing our judicial system through frivolous lawsuits will not be tolerated.

IV. INSURE DOMESTIC TRANQUILITY:

Lines of communication from the citizenry to the Goremment will be open and welcome;

Citizens will not be intimidated or insulted for petitioning the government through their elected representatives, to be heard;

V. PROVIDE FOR THE COMMON DEFENSE:

The greatest and most honorable military in the history of the world will be maintained and supported;

We will use our might to protect our freedoms and will protect the USA from enemies of such freedoms, state-sponsored or otherwise; foreign or domestic, by all means necessary;

VI. PROMOTE THE GENERAL WELFARE:

We will see that access to adequate healthcare is available to all Americans;

The helpless will be helped;

Meaningful opportunities for success will be open to all who are willing to work;

VII. SECURE THE BLESSINGS OR LIBERTY TO OURSELVES AND OUR POSTERITY:

We will support the principles of hard work that this Nation is built upon;

While taxes are necessary, hard work and success will not be punished by attempts to redistribute wealth gained thereby;

We cannot and will not pile debt upon our children and grandchildren;

VIII. WE WILL DEFEND AND PROTECT THE CONSTITUTION OF THE UNITED STATES OF AMERICA AT ALL TIMES.

EMPLOYER-OWNED LIFE INSURANCE LIMITATION ACT

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. GUTIERREZ. Madam Speaker, I rise today to announce the introduction of my bill, the "Employer-Owned Life Insurance Limitation Act." Every employee makes a commitment to his employer. He commits time, energy and creativity to the advancement of the company.

However, instead of making a commitment to their employees—their health, education and wellbeing—many companies are gambling on their lives by taking out employer-owned life insurance policies in which the company is the only beneficiary. The family and loved ones of a deceased individual should be the only beneficiaries of a life insurance policy, not a speculating company.

As highlighted in Michael Moore's new film, "Capitalism: A Love Story," a corporation is allowed to take out life insurance on its employees—often without their knowledge or consent—and cash in, in the event of their death. These policies are being taken out on everyone from the CEO to the janitor, and the only beneficiary of these countless policies is the company itself.

Every day, 14,000 people in this country lose their health insurance; but instead of investing in the health, life and longevity of its employees, much of Corporate America has adopted the practice of investing its resources in the demise of its employees. My legislation would prohibit the practice of taking out employer-owned life insurance except in the case where the death of an individual would incur a significant cost to the company—that is individuals making $1 million or more in salary.

In addition, this legislation would require that the company disclose the policy to the covered individual within 30 days of taking out the policy. Also, should the employee move on to another job, the employer would have 30 days to cancel the policy. This will stop the practice of taking out policies without an employee's knowledge and maintaining the policy long after the employee has left the company.

Employees who find that their employer has taken out a policy in violation of this legislation would have the right to bring civil action against their employer to stop the company from holding the contract. Additionally, the employee could be awarded damages amounting to either $500,000 or, in the case of a deceased employee, three times the amount of the benefit paid to the employer. In the case of a living employee, the employee would be awarded three times the benefit as it exists on the date of action, whichever is greater.

I believe that taking out employer-owned life insurance policies on non-executive level employees is criminal, and my legislation would punish it accordingly by establishing such a violation as a misdemeanor punishable by a $500,000 fine and imprisonment for up to one year.

This legislation would also commission a GAO study to examine the prevalence of these policies and the number of violations under this bill to ensure that we have the most accurate information on this practice.

Madam Speaker, each year companies spend $8 billion in premiums on these policies. That is $8 billion that could be directed toward employee healthcare, pensions and educational opportunities. Instead, it goes to what is essentially a game of Craps, where an employer is betting and banking against the employee's life.

I ask my colleagues to join me in eliminating this unjust practice.

TRIBUTE TO THE MEMORY OF MAXINE JAMES

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. PAYNE. Madam Speaker, I ask my colleagues here in the House of Representatives to join me as I rise with a heavy heart to remember my long time Chief of Staff and friend, Maxine James. Maxine passed away on September 21, 2009, after a lengthy illness. Prior to her retirement last year, Maxine served as my Chief of Staff from the time of my inauguration in 1989. She was an integral part of my career and I credit much of my success to her capable skills. Maxine was the consummate professional who served as my personal advisor and as Staff Developer for my office.

Maxine James was born and raised in Newark, New Jersey. She was a long time resident of Newark until she purchased a home in East Orange 12 years ago. Maxine was always interested in being of service to the public at large. During her 15 years as a Community Affairs Department Staffer for Prudential Insurance Company, she served on the boards of directors of various community organizations including Second Chance, a program developed to help ex-offenders and the problem of recidivism; Newark House, a State run halfway house for prisoners and Newark Emergency Services for Families where she served the board as treasurer, vice president and president. During Maxine's tenure as president, NESF opened the first homeless shelter for families. It was while I served an executive at Prudential that I had the opportunity to meet this talented and promising young woman.

Maxine was an extraordinarily gifted woman who volunteered her skills and resources to assist others. She was only the third woman and first African-American woman to join the Newark Jaycees. She used her limited knowledge of campaigns and elections to mount a campaign for the position of external vice president which she won handily. Maxine enjoyed a vast network of friends and associates who will all miss her tremendously. Maxine

was a dedicated and caring mother to her two sons, Brian and Christopher as well as a devoted grandmother to Olivia and Malcolm.

Madam Speaker, I know my colleagues agree that the Greater Newark Community has lost a visionary and friend in Maxine James. Her family, friends and associates can all be proud of the legacy she leaves behind.

OPPOSING MOTION TO RECOMMIT H.R. 3221

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. KUCINICH. Madam Speaker, I rise to voice my concern over the recent motion to recommit the bill HR 3221, the Student Aid and Fiscal Responsibility Act of 2009, which passed the House on September 17, 2009.

The motion to recommit stated, in part, that no organization that has been indicted for any federal or state campaign finance or election law can be eligible for any federal government contract or grant. The motion specifically names the Association of Community Organizations for Reform Now (ACORN) as an organization covered by the bill.

Article I, Section 9 of the Constitution clearly states, ''No Bill of Attainder or ex post facto Law shall be passed.'' Congress cannot legislatively punish an individual or specific class of people. The fact that the motion to recommit appears to meet both criteria for a bill of attainder—specificity and punishment—should give us pause. Legislation that could potentially violate the Constitution surely deserves more debate than twenty minutes.

The recent revelations regarding the conduct of some ACORN employees is disquieting and merits closer investigation; however it is not Congress' place to assign guilt and punishment. The Constitution affords all accused people the protections of the judicial system; Congress must allow the judicial branch to function properly. For this reason I opposed the motion to recommit, and I will oppose any legislation that attempts to punish an individual or specific class of people without the judicial protections afforded them by the Constitution.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Ms. WOOLSEY. Madam Speaker, on September 23, 2009, I was unavoidably detained and was unable to record my vote for rollcall No. 732. Had I been present I would have voted:

Rollcall No. 732: No—on Motion to Adjourn.

HONORING MR. EDWARD C. YBARRA, JR.

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. GONZALEZ. Madam Speaker, Central Catholic High School has a long and glorious history in San Antonio. On March 25, 1852, it became the first boys' school to open in the city and it has served generations of San Antonio's young men. Now, one of Central's distinguished alumni, Edward C. Ybarra, Jr., is poised to become its 35th principal.

Mr. Ybarra first came to Central as a freshman in 1979 and, after graduating in 1983, went on to earn his degree from Texas Lutheran University. Central had clearly put its hold on him, however, and Ybarra returned to the school in 1987 to coach the basketball, football, track, and golf teams. He started teaching history the next year and, after earning his Master's Degree in Education from the University of Texas at San Antonio, became Assistant Principal for Student Development in 1997.

Over the years, he helped to forge Central into a second family and safe haven for its students and their families, efforts that earned him a nomination as Assistant Principal of the Year from the National Catholic Educational Association.

Edward Ybarra's successes stand as a testament to the strong foundation of his schooldays at Central as the successes of his thousands of young charges reflect the quality of his leadership as a teacher and assistant principal. Both augur well for the successes to come to him and to Central under his leadership as president. The depth of his connection to the school over the past thirty years also speaks to the strength of community at Central Catholic High School.

Henry Adams once wrote, ''A teacher affects eternity; he can never tell where his influence stops.'' Edward Ybarra has affected eternity, and the world is better for it.

HONORING MR. PAUL E. ATKINSON

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. SESTAK. Madam Speaker, I rise in honor of Mr. Paul E. Atkinson, who died August 4, 2009 following a fall at his residence in Palo Alto, CA. He is survived by a son Paul E. Atkinson of Paris, France, a daughter Mary Hafner of Palo Alto, CA, and a son Peter Atkinson of Grand Junction, CO and seven grandchildren.

Mr. Atkinson was the long time President of Sun Ship, a leading shipyard nationally, and one of the largest employers in Delaware County, part of the District that I have the honor to represent. Very many of my constituents in Delaware County and in its surroundings worked at Sun Ship under the extraordinary leadership of Mr. Atkinson.

Among their many proud achievements were (1) the 590 foot HUGHES GLOMAR EXPLORER, built at the height of the Cold War for the CIA to secretly lift a sunken Soviet submarine from a three mile depth in the Pacific Ocean, (2) conversion of the tanker MANHATTAN into the largest icebreaker of all time, that successfully twice transited the Northwest Passage to Alaska and became the forerunner of the commercial commerce now beginning in the Arctic, and (3) construction of the largest solid rocket cases ever, begun in the period of President Kennedy's renowned reach into space.

With regret at Mr. Atkinson's passing but with thanks to him and those of my constituents who worked with him, I am pleased to add the following record of Mr. Atkinson's achievements.

Mr. Atkinson joined Sun Shipbuilding & Dry Dock Company in Chester, PA after graduating from the Webb Institute of Naval Architecture in May 1942. Mr. Atkinson undertook many varied assignments in both new shipbuilding and ship repair operations during those war years and helped to guide Sun Ship into the post-war era with employment in the 5000 range, introduction of unions and participation in the postwar prosperity with new shipbuilding some 70% of manpower, burgeoning ship repair work 10–20% from increased Delaware River traffic and outside sales (non marine) work 10–20% from wind tunnels, the largest solid rocket cases ever built, much nuclear work for reactors, Savannah River and the Fernald Plant, paper mills, and key components of the Verrazano Bridge.

During the Korean War, Mr. Atkinson became General Superintendent of all operations and in 1956 he became Vice President of Operations. Large shipyards in the United States began with the invention of riveting and Sun Ship was no exception. In 1957, Mr. Atkinson led the complete rebuilding of the shipyard with fewer but greatly enlarged shipways into a true welding shipyard with several pioneering attributes, among them the largest floating drydock then in the United States.

A keen business participant well versed in the involvement of government in marine shipbuilding contracts whether through subsidy or mortgage guarantee, Mr. Atkinson looked for a better way. He became Sun Ship President in 1961. In 1965 he saw a shipping need and a Navy budgetary impediment under Defense Secretary McNamara. Mr. Atkinson conceived the gas turbine propelled ADM. WM. M. CALLAGHAN, and with an established ship operator, Sun Ship formed a joint venture that built, chartered and operated the ship for decades for the Navy.

Building on that success, Mr. Atkinson, was an early pioneer in the development of roll-on/roll-off (ro/ros) vessels. During 1965–1977 Sun Ship constructed ten ro/ros, five 80,000 ton tankers, several 120,000 ton tankers, placing many of those ships in build and charter subsidiaries under the shipping diversification strategy he pioneered at Sun Ship. Among these was TOTE, a dry cargo roll-on/roll-off shipping company, wholly owned by Sun Ship, operating to Alaska. Today it is a leading successful, unsubsidized, American flag operator. During that period, under Mr. Atkinson the yard converted the MANHATTAN for her two pioneering ice-breaking voyages through the Northwest Passage to Alaska and built the legendary HUGHES GLOMAR EXPLORER to secretly lift a sunken Soviet submarine from three miles deep in the Pacific at the height of the Cold War.

Atkinson was a Trustee of Webb Institute for many years and a recipient of its coveted William Selkirk Owen Award. He was a member of the American Bureau of Shipping, and their Technical Committee. He also was a director of the Shipbuilders Council of America, and a member and technical representative of Lloyd's American Committee. He received the prestigious Sea Grant Association award and was active personally and through Sun Ship

with the University of Delaware College of Marine Studies at Lewes, DE. He was Vice President of the Greater Philadelphia Chamber of Commerce and active in similar civic organizations.

TRIBUTE TO HON. RENEE JONES WEEKS

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. PAYNE. Madam Speaker, I ask my colleagues here in the House of Representatives to join me as I rise to recognize the Honorable Renee Jones Weeks for her many years of service to the community and to congratulate her upon her retirement from the Chancery Division, Superior Court of New Jersey (Essex Vicinage). Appointed to the Bench on July 14, 1989, Judge Weeks has served in the Family Part, Criminal Part and Civil Part. She has also served in two counties, Essex and Union during her tenure.

Judge Weeks has been actively engaged in various organizations throughout her career. She was a Co-Incorporator of the Garden State Bar Association, Co-Founder and First President of the Association of Black Women Lawyers of New Jersey and Past Secretary of the Garden State Bar Association. She also served as Vice President of the National Bar Association, President of the Women's Division of the National Bar Association and Financial Secretary, Chair-Elect and Chair of the Judicial Council of the National Bar Association.

A graduate of Rutgers Law School in Newark, New Jersey and Ursuline College in Pepper Pike, Ohio, Judge Weeks has served on several committees of the New Jersey Supreme Court. She is the recipient of numerous awards and was the first Black Trustee of the Essex County Bar Association. Judge Weeks is a member of Alpha Kappa Alpha Sorority, a past Board Member of the New Jersey State Opera and a former Court Liaison to CASA (the Court Appointed Child Advocacy Program).

Madam Speaker, I know my colleagues agree that Judge Weeks is an excellent role model for women and minorities in the legal profession. She will leave a lasting impact on those who were fortunate enough to benefit from her guidance. I am pleased to join all those in attendance at a Retirement Party in her honor in wishing her a wonderful retirement.

TRIBUTE TO THE LATE SERGEANT RONNIE O'NEAL BROWN

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. MEEK of Florida. Madam Speaker, I rise to pay tribute to the life and legacy of the late Sergeant Ronnie O'Neal Brown, a nearly 20-year-veteran of the Polk County Sheriffs Office, who recently passed as a result of injury suffered in the line of duty. He worked tirelessly to provide the citizens of Polk County with safety and service.

Sergeant Brown was hired as a detention deputy in October 1989 and was promoted to the rank of Sergeant in April 1997. He was most recently assigned to the South County Jail in Frostproof, Florida as a supervisor in Delta Platoon.

Sgt. Brown was injured in the line of duty on Sunday, August 30, 2009, after responding to a disturbance in an unruly prisoner's cell in the South County Jail. On Monday, September 7, 2009, he passed away.

During his nearly 20-year career, Sgt. Brown was known for his professionalism, attention to detail, positive influence on those around him, and his excellent work ethic. His personnel file is filled with accolades and letters of recognition for his hard work and dedication to the agency and to his fellow agency members. In May 2007, he and two other detention deputies were awarded a Meritorious Service Medal for providing CPR to an unresponsive inmate in the jail. It is quite clear that Sgt. Brown demonstrated a passion for law enforcement and commitment to helping others, qualities that enabled him to become a respected and model member of the Polk County Sheriffs Office.

Sgt. Brown was a loving husband, proud father, and devoted friend. He is survived by his wife Albertina Brown, a detention deputy assigned to the inmate booking area in Bartow, Florida, and one daughter.

Madam Speaker, I ask that my distinguished colleagues join me in recognizing Sgt. Brown's extraordinary life and many accomplishments within the Polk County Sheriffs Office. I appreciate this opportunity to pay tribute to him before the United States House of Representatives. Sgt. Brown was an outstanding American worthy of our collective honor and appreciation. It is with deep respect and admiration that I commend him for his contributions to his community and the many lives that he touched while serving as a shining example of his legacy.

HONORING DENNIS L. MARTIRE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor Dennis L. Martire, Vice President and Regional Manager of the Laborers' International Union of North America. Throughout his career, Mr. Martire has shown exceptional leadership and has worked tirelessly for laborers.

In 1990 Mr. Martire began his career as an International Representative for the Laborers' International Union of North America, LIUNA, Jurisdictional Disputes Department. Since then, Mr. Martire has assumed various leadership positions within LIUNA. He became Assistant Director, and then Director, of the Laborers' Construction Department. In March 2000, Mr. Martire became Assistant Regional Manager of the Mid-Atlantic Region of LIUNA, and was elected Vice President and Regional Manager just 2 years later.

In addition to Mr. Martire's role within LIUNA, he also serves on various committees, boards, and organizations committed to advancing the laborers' cause. Mr. Martire serves as a Trustee on several organizations, such as the Laborers' Health and Safety Fund of North America, the LIUNA National Health and Welfare Fund, and the Laborers-AGC Education and Training Fund. Mr. Martire also serves as the Chairman of the Mid-Atlantic Laborers' Employers Cooperation and Education Trust, the Mid-Atlantic Regional Organizing Coalition, and the Mid-Atlantic Laborers' Political League.

In recognition of Mr. Martire's hard work and dedication, he will be presented with the Labor Man of the Year Award at the Friends of Labor Committee of Laborers' Local 332 Annual Black Tie Charity dinner.

Mr. Martire's impressive career with the Laborers' International Union of North America showcases his commitment and drive to promote the wellbeing of LIUNA and its members. His work clearly exemplifies his personal mission to improve working conditions and provide all laborers with well-paying, secure jobs.

TRIBUTE TO REVEREND BRANDO IBARRA

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 29, 2009

Mr. PASCRELL. Madam Speaker, I would like to call to your attention to the work of an outstanding individual, Reverend Brando Ibarra, who was recognized on Friday, September 25, 2009 for his ten years of dedicated service to the people of his community.

It is only fitting that he be honored in this, the permanent record of the greatest democracy ever known, for he has been a true public servant and someone whose spiritual commitment has enhanced countless lives.

Father Brando was born on November 14, 1970, in El Doncello, Colombia. He came to the United States and earned his Bachelor of Science degree from Seton Hall University. He went on to graduate with a Masters of Theology degree from the University of St. Mary of the Lake, Mundelien Seminary, in Illinois.

He was ordained into the priesthood by Bishop Frank J. Rodimer on September 25, 1999 at St. John's Cathedral in Paterson, New Jersey. He served his Deacon Internship as a Parochial Vicar and Temporary Administrator at Saint Margaret Parish in Morristown, New Jersey for the next seven years. In 2006, he was called on to serve as Parochial Vicar of St. Gerard Majella Church in Paterson. In 2007, he was appointed Pastor of St. Anthony of Padua Church, where he remains. Father Brando became a citizen of the United States of America on January 14, 2009.

His dedication to his ministry and to helping others reaches far beyond the Parish of St. Anthony of Padua. He is a member of the Paterson Diocesan Liturgical Commission, Spiritual Advisor of Hispanic Cursillos de Cristiandad, and a member of the Diocesan Vocation Board. He is a Chaplain for the Morris County Jail, and is a member of the Passaic Alliance Advisory Board Committee.

Father Brando is committed to nurturing and supporting others in their work in ministry. He is a staff member and lecturer in theology for the College of St. Elizabeth in Morristown. He serves as the President of the Association of Colombian Priests in the USA, and is a Board Member the National Association of Hispanic Priests.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to learning about and recognizing the efforts of individuals like Reverend Brando Ibarra.

Madam Speaker, I ask that you join our colleagues, Father Brando's family and friends, all those who have been spiritually enriched by him, and me in recognizing the outstanding and invaluable service of Reverend Brando Ibarra.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S9895–S9942

Measures Introduced: Five bills and four resolutions were introduced, as follows: S. 1722–1726, and S. Res. 290–293. **Page S9930**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution, FY 2010". (S. Rept. No. 111–83)

S. 1451, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, with an amendment in the nature of a substitute. (S. Rept. No. 111–82) **Page S9930**

Measures Passed:

Majority Party's Membership on Certain Committees: Senate agreed to S. Res. 290, to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen. **Page S9910**

Radio Free Asia Extension: Committee on Foreign Relations was discharged from further consideration of H.R. 3593, to amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia, and the bill was then passed, clearing the measure for the President. **Page S9941**

United States Advisory Commission on Public Diplomacy Reauthorization: Committee on Foreign Relations was discharged from further consideration of H.R. 2131, to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy, and the bill was then passed, clearing the measure for the President. **Page S9941**

National Cybersecurity Awareness Month: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 285, supporting the goals and ideals of national cybersecurity awareness month and raising awareness and enhancing the state of cybersecurity in the United States, and the resolution was then agreed to. **Page S9941**

Honoring Former Senator Henry Louis Bellmon: Senate agreed to S. Res. 293, relative to the death of Henry Louis Bellmon, former United States Senator for the State of Oklahoma. **Page S9942**

Measures Considered:

Department of Defense Appropriations Act—Agreement: Senate resumed consideration of H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, taking action on the following amendments proposed thereto: **Pages S9906–10, S9910–18**

Adopted:

Johanns Amendment No. 2484, prohibiting use of funds to fund the Association of Community Organizations for Reform Now (ACORN). **Page S9912**

Pending:

McCain Amendment No. 2558, to strike amounts available for procurement of C–17 aircraft in excess of the amount requested by the President in the budget for fiscal year 2010 and to make such amounts available instead for operation and maintenance in accordance with amounts requested by the President in that budget and for Operation and Maintenance, Army, for overseas contingency operations. **Pages S9906–07, S9916–18**

Legislative Branch Appropriations Act Conference Report—Agreement: A unanimous-consent-time agreement was reached providing that at approximately 11 a.m., on Wednesday, September 30, 2009, Senate begin consideration of the conference report to accompany H.R. 2918, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010; that all debate time until 4:30 p.m. be equally divided and controlled between Senators Nelson (NE) and Murkowski, or their designees; provided that if points of order are raised, any vote on the motions to waive occur beginning at 4:30 p.m. on Wednesday, September 30, 2009, and that no amendments be in

order to the motions; provided further, that following disposition of the points of order, and if the motions to waive are successful, Senate then vote on adoption of the conference report, with two minutes of debate, equally divided and controlled prior to each vote. **Page S9941**

Department of Defense Authorization Act Conferees—Agreement: A unanimous-consent agreement was reached providing that with respect to the conferees on the Department of Defense Authorization Act, Senators Kirk and LeMieux be added to replace the late Senator Kennedy and recently retired Senator Martinez. **Page S9941**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. EX. 299), Jeffrey L. Viken, of South Dakota, to be United States District Judge for the District of South Dakota. **Pages S9918–21, S9942**

Jenny A. Durkan, of Washington, to be United States Attorney for the Western District of Washington for the term of four years.

Florence T. Nakakuni, of Hawaii, to be United States Attorney for the District of Hawaii for the term of four years.

Deborah K. R. Gilg, of Nebraska, to be United States Attorney for the District of Nebraska for the term of four years. **Pages S9940, S9942**

Nominations Received: Senate received the following nominations:

Gladys Commons, of Virginia, to be an Assistant Secretary of the Navy.

Harris D. Sherman, of Colorado, to be Under Secretary of Agriculture for Natural Resources and Environment.

Harris D. Sherman, of Colorado, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Steven L. Jacques, of Kansas, to be an Assistant Secretary of Housing and Urban Development.

Alan D. Bersin, of California, to be Commissioner of Customs, Department of Homeland Security.

Michael C. Polt, of Tennessee, to be Ambassador to the Republic of Estonia.

Adele Logan Alexander, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

Victoria Angelica Espinel, of the District of Columbia, to be Intellectual Property Enforcement Coordinator, Executive Office of the President. **Page S9942**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Harris D. Sherman, of California, to be Under Secretary of Agriculture for Natural Resources and Environment, which was sent to the Senate on September 10, 2009.

Harris D. Sherman, of California, to be a Member of the Board of Directors of the Commodity Credit Corporation, which was sent to the Senate on September 10, 2009. **Page S9942**

Messages from the House: **Page S9928**

Executive Communications: **Pages S9928–29**

Executive Reports of Committees: **Page S9930**

Additional Cosponsors: **Pages S9930–32**

Statements on Introduced Bills/Resolutions: **Pages S9932–37**

Additional Statements: **Pages S9925–28**

Amendments Submitted: **Pages S9937–40**

Notices of Hearings/Meetings: **Page S9940**

Authorities for Committees to Meet: **Page S9940**

Privileges of the Floor: **Page S9940**

Record Votes: One record vote was taken today. (Total—299) **Page S9921**

Adjournment: Senate convened at 11:30 a.m. and adjourned, in accordance with S. Res. 293, at 6:50 p.m., until 10 a.m. on Wednesday, September 30, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9942.)

Committee Meetings

(Committees not listed did not meet)

PRIMARY EDUCATION IN THE DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine the use, impact, and accomplishments of Federal appropriations provided to improve the education of children in the District of Columbia, after receiving testimony from Mary M. Levy, Washington Lawyers' Committee for Civil Rights and Urban Affairs, Robert Cane, Friends of Choice in Urban Schools, Patricia Weitzel-O'Neill, Archdiocese of Washington, and Gregory M. Cork, Washington Scholarship Fund, all of Washington, D.C.

PRUDENTIAL BANK SUPERVISION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine strengthening and streamlining Prudential Bank supervision, focusing on how regulation has evolved and varying regulatory systems used during the financial crisis, after receiving testimony from Richard J. Hillman,

Managing Director, Financial Markets and Community Investment, Government Accountability Office; Eugene A. Ludwig, Promontory Financial Group, and Martin Neil Baily, Brookings Institution, both of Washington, D.C.; and Richard S. Carnell, Fordham University School of Law, New York, New York.

CHILDREN'S HEALTH PROTECTION

Committee on Environment and Public Works: Subcommittee on Children's Health concluded a hearing to examine promoting and improving children's health protections, after receiving testimony from Peter Grevatt, Director, Office of Children's Health Protection and Environmental Education, Environmental Protection Agency; Linda S. Birnbaum, Director, National Institute of Environmental Health Sciences, National Institutes of Health, Department of Health and Human Services; Mary Story, University of Minnesota School of Public Health, Minneapolis, on behalf of Healthy Eating Research National Program Office; and Reid Ewing, University of Utah Department of City and Metropolitan Planning, Salt Lake City.

BUSINESS MEETING

Committee on Finance: Committee resumed consideration of an original bill entitled, ''America's Healthy Future Act of 2009'', but did not complete action thereon, and recessed subject to the call and will meet again on Wednesday, September 30, 2009.

FEDERAL CONTRACTING DATABASES

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine improving transparency and accessibility of federal contracting databases, focusing on the correct diagnoses of the problems with contracting data systems, after receiving testimony from William T. Woods, Director, Acquisition and Sourcing Management, Government Accountability Office; Vivek Kundra, Federal Chief Information Officer, Administrator for Electronic Government and Information Technology, Office of Management and Budget; Adam Hughes, OMB Watch, Washington, D.C.; and Trey Hodgkins, TechAmerica, Arlington, Virginia.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nominations of Richard Serino, of Massachusetts, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, and Daniel I. Werfel, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

BODY BUILDING PRODUCTS

Committee on the Judiciary: Subcommittee on Crime and Drugs concluded a hearing to examine body building products and hidden steroids, focusing on enforcement barriers, after receiving testimony from Michael Levy, Director, Division of New Drugs and Labeling Compliance, Office of Compliance, Center for Drug Evaluation and Research, United States Food and Drug Administration, Department of Health and Human Services; Joseph T. Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice; Travis T. Tygart, United States Anti-Doping Agency, Colorado Springs, Colorado; and Daniel Fabricant, Natural Products Association, and Richard Kingham, Covington & Burling LLP, both of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 3659–3674; and 4 resolutions, H. Con. Res. 192; and H. Res. 782–784, were introduced. **Pages H10069–70**

Additional Cosponsors: **Pages H10070–71**

Reports Filed: Reports were filed today as follows:

H.R. 685, to require a study of the feasibility of establishing the United States Civil Rights Trail System, with amendments (H. Rept. 111–267);

H.R. 2442, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program (H. Rept. 111–268);

H.R. 2950, to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District, with an amendment (H. Rept. 111–269);

H.R. 905, to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve, with an amendment (H. Rept. 111–270);

H.R. 1771, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, with an amendment (H. Rept. 111–271);

H.R. 1053, to require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed and to require the Environmental Protection Agency to develop and implement an adaptive management plan, with an amendment (H. Rept. 111–272, Pt. 1);

H.R. 1881, to enhance the transportation security functions of the Department of Homeland Security by providing for an enhanced personnel system for employees of the Transportation Security Administration (H. Rept. 111–273, Pt. 1);

H.R. 1881, to enhance the transportation security functions of the Department of Homeland Security by providing for an enhanced personnel system for employees of the Transportation Security Administration (H. Rept. 111–273, Pt. 2);

H.R. 2711, to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties, with an amendment (H. Rept. 111–274); and

H.R. 2092, to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, with an amendment (H. Rept. 111–275).

Page H10068–69

Speaker: Read a letter from the Speaker wherein she appointed Representative Clay to act as Speaker pro tempore for today. **Page H10001**

Recess: The House recessed at 12:38 p.m. and reconvened at 2 p.m. **Page H10002**

Suspensions: The House agreed to suspend the rules and pass the following measures:

United States Civil Rights Trail System Act of 2009: H.R. 685, amended, to require a study of the feasibility of establishing the United States Civil Rights Trail System; **Pages H10003–04**

Agreed to amend the title so as to read: ''To require the Secretary of the Interior to conduct a special resource study regarding the proposed United States Civil Rights Trail, and for other purposes.''.

Page H10004

Directing the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District: H.R. 2950, amended, to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District;

Pages H10006–07

Leadville Mine Drainage Tunnel Remediation Act of 2009: H.R. 3123, amended, to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado;

Page H10007

Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Modification Act: H.R. 905, amended, to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve, by a 2/3 yea-and-nay vote of 286 yeas to 107 nays, Roll No. 740;

Pages H10007–09, H10040

Supporting the goals and ideals of National Life Insurance Awareness Month: H. Res. 16, to support the goals and ideals of National Life Insurance Awareness Month, by a 2/3 yea-and-nay vote of 394 yeas to 1 nay, Roll No. 741;

Pages H10013–14, H10040–41

Honoring the life and accomplishments of Jim Johnson: H. Res. 693, to honor the life and accomplishments of Jim Johnson and to extend the condolences of the House of Representatives to his family on the occasion of his death; **Pages H10015–16**

Supporting the goals and ideals of Sickle Cell Disease Awareness Month: H. Con. Res. 186, to support the goals and ideals of Sickle Cell Disease Awareness Month; **Pages H10016–18**

Congratulating the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series Championship: H. Res. 725, to congratulate the Chula Vista Park View Little League team of Chula Vista, California, for winning the 2009 Little League World Series Championship; **Pages H10018–19**

Expressing the support for and honoring September 17, 2009 as "Constitution Day": H. Res. 734, amended, to express the support for and to honor September 17, 2009 as ''Constitution Day''; and **Pages H10019–20**

Agreed to amend the title so as to read: ''Expressing support for the goals and ideals of Constitution Day''. **Page H10020**

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958: Agreed to the Senate amendment to H.R. 3614, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Page H10021**

Recess: The House recessed at 3:56 p.m. and reconvened at 6:02 p.m. **Page H10021**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Bay Area Regional Water Recycling Program Expansion Act of 2009: H.R. 2442, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program; **Pages H10004–06**

Chesapeake Bay Science, Education, and Ecosystem Enhancement Act of 2009: H.R. 1771, amended, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration; and **Pages H10009–12**

Chesapeake Bay Accountability and Recovery Act of 2009: H.R. 1053, amended, to require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed and to require the Environmental Protection Agency to develop and implement an adaptive management plan. **Pages H10012–13**

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010—Motion to go to Conference: The House agreed to the DeLauro motion to disagree to the Senate amendment and agree to a conference on H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010. **Pages H10021–23**

Agreed to the Kingston motion to instruct conferees on the bill by a yea-and-nay vote of 359 yeas to 41 nays, Roll No. 742. **Pages H10021–23, H10041–42**

Later, the Chair appointed the following conferees: Representatives DeLauro, Farr, Boyd, Bishop (GA), Davis (TN), Kaptur, Hinchey, Jackson (IL), Obey, Kingston, Latham, Emerson, Alexander, and Lewis (CA). **Page H10042**

Committee on Transportation and Infrastructure—Communication: Read a letter from Chairman Oberstar wherein he transmitted copies of 11 resolutions to authorize appropriations for the General Services Administration's FY 2010 Capital Investment and Leasing Program adopted by the Committee on Transportation and Infrastructure on September 24, 2009. **Pages H10023–40**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H10020.

Senate Referrals: S. 1717 was held at the desk.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H10040, H10040–41, and H10041–42. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:57 p.m.

Committee Meetings

CRIME VICTIMS RIGHTS ACT OF 2009

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held a hearing on Crime Victims Rights Act of 2004. Testimony was heard from Eileen Larence, Director, Homeland Security and Justice Issues, GAO; the following officials of the Department of Justice: Mary Lou Leary, Acting Assistant Attorney General, Office of Justice Programs, and Laurence E. Rothenberg, Deputy Assistant Attorney General, Office of Legal Policy; and public witnesses.

ADMINISTRATION'S FLU VACCINE PROGRAM

Committee on Oversight and Government Reform: Held a hearing entitled ''The Administration's Flu Vaccine Program: Health, Safety and Distribution.'' Testimony was heard from the following officials of the Department of Health and Human Services: Thomas R. Frieden, M.D., Director, Centers for Disease Control and Prevention; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases; and Jesse Goodman, M.D., Acting Chief Scientist and Deputy Commissioner, Scientific Administration and Medical Programs, FDA.

BILLION DOLLAR KATRINA INFRASTRUCTURE LOGJAM

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on Final Breakthrough on the Billion Dollar Katrina Infrastructure Logjam: How is it Working? Testimony was heard from Stephen Daniels, Chairman, Civilian Board of Contract Appeals, GSA; the following officials of FEMA, Department of Homeland Security: David Garratt, Acting Deputy Administrator; and Charles R. Axton, FEMA Lead, Unified Public Assistance Project Decision Team, Gulf Coast Recovery Office; Paul Rainwater, Executive Director, Recovery Authority, State of Louisiana; and a public witness.

Joint Meetings

STABILITY IN THE WESTERN BALKANS

Commission on Security and Cooperation in Europe. Commission concluded a hearing to examine the Western

Balkans, focusing on policy responses to today's challenges, including current United States and the European Union efforts to maintain stability in the Western Balkans and prepare the countries of the region for European and Euro-Atlantic integration, after receiving testimony from Stuart E. Jones, Deputy Assistant Secretary of State for European and Eurasian Affairs; and Bjorn Lyrvall, Director-General for Political Affairs, Foreign Ministry of Sweden, Stockholm.

COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 30, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nominations of Bartholomew Chilton, of Maryland, Jill Sommers, of Kansas, and Scott D. O'Malia, of Michigan, all to be a Commissioner of the Commodity Futures Trading Commission, Edward M. Avalos, of New Mexico, to be Under Secretary for Marketing and Regulatory Programs, Edward M. Avalos, and Harris D. Sherman, of California, to be Under Secretary for Natural Resources and Environment, both to be a Member of the Board of Directors of the Commodity Credit Corporation, both of the Department of Agriculture, and Kenneth Albert Spearman, of Florida, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, 9:45 a.m., SR–328A.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Security and International Trade and Finance, to hold hearings to examine international cooperation to modernize financial regulation, 2:30 p.m., SD–538.

Committee on Finance: business meeting to continue consideration of an original bill entitled ''America's Healthy Future Act of 2009'', 10 a.m., SH–216.

Committee on Foreign Relations: Subcommittee on African Affairs, to hold hearings to examine exploring United States policy options toward Zimbabwe's transition, 10:15 a.m., SD–419.

Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine United States policy toward Burma, focusing on its impact and effectiveness, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider an original bill entitled ''Ryan White HIV/AIDS Treatment Extension Act of 2009'', and the nominations of Brenda Dann-Messier, of Rhode Island, to be Assistant Secretary for Vocational and Adult Education, and Alexa E. Posny, of Kansas, to be Assistant Secretary for Special Education and Rehabilitative Services, both of the Department of Education, and George H. Cohen, of Virginia, to be Federal Mediation and Conciliation Director, Federal Mediation and Conciliation Service, and any pending nominations, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine eight years after 9/11, focusing on confronting the terrorist threat to the homeland, 10 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine controlled substance abuse in Medicaid, 3 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine advancing freedom of information in the New Era of Responsibility, 10 a.m., SD–226.

Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine responding to the growing need for federal judgeships, focusing on the Federal Judgeship Act of 2009, 2:30 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine Veterans Affairs contracts for health services, 9:30 a.m., SR–418.

Special Committee on Aging: to hold hearings to examine how successful health systems keep costs low and quality high, 11 a.m., SD–106.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy, and Research, hearing to review the implementation of the research title of the 2008 Farm Bill, 10 a.m., 1300 Longworth.

Committee on Armed Services, hearing on the status of ongoing U.S. efforts in Iraq, 10 a.m., 210 HVC.

Committee on Education and Labor, hearing on Teacher Equity: Effective Teachers for All Children, 11 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up the following bills: H.R. 2221, Data Accountability and Trust Act; H.R. 1319, Informed P2P User Act; and H.R. 2190, Mercury Pollution Reduction Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''Perspectives on the Consumer Financial Protection Agency,'' 10 a.m., 2128 Rayburn.

Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, hearing entitled ''Reforming Credit Rating Agencies,'' 2 p.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security and Infrastructure Protection, hearing entitled ''The Future of the Registered Traveler Program,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Cyberbullying and other Online Safety Issues for Children, including the following bills: H.R. 1966, Megan Meier Cyberbullying Prevention Act; and H.R. 3630, Adolescent Web Awareness Requires Education Act, 3 p.m., 2141 Rayburn.

Committee on Natural Resources, to mark up the following bills: H.R. 2489, AmericaView Geospatial Imagery Mapping Program Act; H.R. 1471, To expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia, to redesignate the unit as a National Historical Part, and for other purposes; H.R. 2213, To reauthorize the Neotropical Migratory Bird Conservation

Act; H.R. 3537, Junior Duck Stamp Conservation and Design Program Reauthorization Act of 2009; H.R. 3433, To amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes; H.R. 1065, White Mountain Apache Tribe Water Rights Quantification Act of 2009; H.R. 3254, Taos Pueblo Indian Rights Settlement Act; and H.R. 3342, Aamodt Litigation Settlement Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, hearing entitled ''Credit Rating Agencies and the Next Financial Crisis,'' 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Energy and Environment, to consider the following bills: H.R. 3650, Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2009; H.R. 3585, Solar Technology Roadmap Act; and H.R. 3598, Energy and Water Research Integration Act, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled '' Expiring Tax Incentives: Examining Their Importance for Small Businesses on the Road to an Economic Recovery,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on A Review of the Coast Guard's Search and Rescue Mission, 10 a.m., 2167 Rayburn.

Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on This is NOT a Test: Will the Nation's Emergency Alert System Deliver the President's Message to the Public? 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, hearing on Energy Efficiency at the U.S. Department of Veterans Affairs, 10 a.m., 334 Cannon

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, executive, briefing on Hot Spots, 4 p.m., 304 HVC.

Joint Meetings

Conference: meeting of conferees on H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, 3 p.m., S–127, Capitol.

Next Meeting of the **SENATE**

10 a.m., Wednesday, September 30

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will begin consideration of the conference report to accompany H.R. 2918, Legislative Branch Appropriations Act, with a series of at least 3 votes at approximately 4:30 p.m.

(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 a.m., Wednesday, September 30

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H. Res. 731—Expressing the sense of the House of Representatives that the employees of the Department of Homeland Security should be commended for their dedicated service on the Nation's front lines in the war against acts of terrorism; (2) H. Res. 517—Congratulating the University of Washington women's softball team; (3) H. Res. 769—Recognizing the benefits of service-learning as a teaching strategy; (4) H. Res. 487—Recognizing the 100th anniversary of the State News at Michigan State University; (5) H. Res. 90—Supporting the goals and ideals of National Campus Safety Awareness Month; (6) S. Con. Res. 41—A concurrent resolution providing for the acceptance of a statue of Helen Keller; (7) H. Res. 692—Supporting the goals and ideals of Tay-Sachs Awareness Month; (8) H. Res. 314—Honoring and saluting Hillerich & Bradsby Co.; (9) S. 1289—Foreign Evidence Request Efficiency Act; (10) H.R. 1727—Managing Arson Through Criminal History Act; (11) H. Res. 757—Supporting the goals and ideals of a National Day of Remembrance for Homicide Victims; (12) H.R. 1333—Exempts the transportation, shipment, receipt, or importation of explosive materials for delivery to a federally recognized Indian tribe or an agency of such a tribe from various Federal criminal prohibitions relating to explosives; (13) H. Res. 739—Honoring the life of Dr. Norman E. Borlaug; (14) H. Con. Res. 151—Expressing the sense of Congress that China release democratic activist Liu Xiaobo from imprisonment; (15) H. Con. Res. 51—Recognizing the 50th anniversary of the signing of the Antarctic Treaty; (16) S. 1707—Authorizing appropriations for fiscal years 2010 through 2014 to promote an enhanced strategic partnership with Pakistan and its people.

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