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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. 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.

DUAL PROCUREMENT OF TANKERS

The SPEAKER. The Chair recognizes the gentleman from Alabama (Mr. ROGERS) for 2 minutes.

Mr. ROGERS of Alabama. Thank you, Madam Speaker.

I rise today to talk about what I think is the most important issue in America, and that is jobs, specifically something that this administration can do quickly to help alleviate our jobs problem. Many people in this country recognize that there has been a debate in Congress for the last few years about how to replace our aging tanker fleet in the Air Force. We have tankers that are over 50 years old and need to be replaced now. We have had a competition for the contract to replace those tankers ongoing for years that has been nothing but bureaucratic.

What I would like to urge the President to do is instruct his Defense Department to consider something that our late colleague Mr. Murtha supported, and that was dual procurement of these tankers. We can take the two major prime contractors, Boeing and Northrop Grumman, and allow both of them to proceed with tanker production to do a couple things: One, to immediately have an injection of jobs into the country, a bigger injection than we would have had by sole source procurement, but also we would more rapidly then get the fleet of tankers replaced.

Under the current construct, it would take 40 years. I don't think anybody wants the warfighter to be having to fly 80- and 90-year-old tankers. I understand that the Air Force would need its procurement budget plussed up because they currently are expecting only to be able to afford 15 tankers per year. I think the President could take some of the stimulus funds, which were ostensibly to be used for job creation, move that to the Air Force's budget so that we could, instead of having 15 per year, have 24 per year, which would allow each company to produce 12 tankers per year.

This would create an immediate influx of new jobs not just in the tanker procurement, but also in the surrounding supplier industries and in the communities. This would be an economic engine in the various States that this production would take place. It would be good for the warfighter, good for our economy, good for American jobs. The President ought to do it.

Mr. President, it is about jobs. I urge you to focus on this issue.

TAKING RESPONSIBILITY FOR CONGRESSIONAL PAY ACT

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). The Chair recognizes the gentlewoman from Arizona (Mrs. KIRKPATRICK) for 5 minutes.

Mrs. KIRKPATRICK of Arizona. Madam Speaker, every day this country is falling deeper in debt. Today we owe more than $12.4 trillion, and by 2016 our debt could be as much as $20 trillion. After more than a decade of mistakes and neglect by both parties, Washington can no longer afford to ignore this issue.

It is time for Congress to get serious about getting Federal spending under control. We should start with our own salaries. Today I am introducing the Taking Responsibility for Congressional Pay Act, which will cut pay for Members of the House and the Senate by 5 percent. This would be the first salary reduction for Members since April 1, 1933, in the heart of the Great Depression.

Restoring fiscal discipline in Washington will require some difficult decisions, and every agency has to do their part. Congress needs to lead by example to get the job done by taking action, and not just by making speeches. With this change we are fighting to change the culture in Washington and beginning to make the tough choices it takes to cut waste and find savings. It will be an important step toward bringing back real fiscal responsibility.

We are facing historic challenges. It will take historic action to address them. I urge my colleagues to join me in acknowledging the problem and taking responsibility for fixing it.

EXPORTS PROMOTION

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

Mr. LARSEN of Washington. Madam Speaker, trade creates jobs. In my home State of Washington, one in three jobs is dependent on foreign trade. So as Congress continues to focus on ways to create jobs, we must help American businesses export their products and services.

This weekend I will travel to my own district to visit companies who have partnered with Federal programs to increase exports and create jobs. Western Chemical, for instance, a small business in Ferndale, is a leader in fish health products and biosecurity supplies. It recently received $500,000 in financing from the Export-Import Bank. By utilizing the Ex-Im Bank, Western Chemical is able to maintain cash flow, export their products, and protect the jobs at their Ferndale location.

Exports drive Washington State's economy, accounting for over 30 percent of economic growth over the past

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decade in our State, and contributing to almost half of the new jobs created over the past 30 years in our State. So the recent establishment of the National Export Initiative, setting a goal to double U.S. exports in the next 5 years, is a step in the right direction. By finally utilizing the resources from the Department of Agriculture, the U.S. Trade Rep's office, the Department of Commerce, the Ex-Im Bank, and the Department of Energy, the administration has made it a priority to help farmers and small businesses increase their exports and create 2 million new jobs here at home.

Now, we in Congress must provide the resources to help them do just that. First, we should support the effort to hire trade experts to serve as advocates for U.S. companies and assist the more than 23,000 American companies who are trading to begin or grow their export sales in 2011.

However, we must not forget that the engine that drives our economy is small business, and that over the last two decades small- and medium-sized businesses have accounted for almost 65 percent of new jobs created here in the U.S. Last year I introduced legislation that directs the Department of Commerce to assist these SMEs in exporting their products, particularly to developing economies like China. From 2000 to 2007, Washington State exports to China grew by 406 percent. This created jobs in sectors likes transportation equipment, crop production, and even processed foods. I know that the U.S. Trade Rep's office has launched an initiative specifically aimed at increasing exports by small- and medium-sized firms here in the U.S. I stand ready to help.

Lastly, our farmers will benefit as well. For every $1 billion in ag exports, 9,000 jobs are created, and $1.4 billion in economic activity is generated. Our farmers, our small business owners want to export their products and services. They want to create jobs here in the United States. I am urging my colleagues to help them do this by supporting the National Export Initiative, which will in turn create jobs and launch us on a path towards long-term economic growth.

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 42 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 (Ms. MARKEY of Colorado) at 2 p.m.

PRAYER

Chaplain John Beaver, National Chaplain of the American Legion, Mobile, Alabama, offered the following prayer:

Our Lord God, we give You our praise for being so faithful and trustworthy. We give You our gratitude for displaying to us Your awesome presence in a very powerful way. We ask for Your wisdom to be given to each congressman and congresswoman in their deliberations today. Give them a compassionate heart, humility and discernment, and may we sense a unity through Your unfailing love.

We pray for the men and women in our military. Shield them from all dangers and give them the assurance of Your guidance and strength so that they may safely return home to their loved ones. Give comfort to our wounded warriors in body, mind, and spirit. Comfort those who are now grieving the loss of their loved ones.

Bless all our veterans and military organizations who serve from their hearts. Strengthen us in heart, mind, and spirit as we serve You, our God, and our beloved Nation. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. POE of Texas led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Hawaii (Mr. ABERCROMBIE), the whole number of the House is 432.

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:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2010.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC 20515

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, I have the honor to transmit a sealed envelope received from the White House on Monday, March 1, 2010 at 2:15 p.m., and said to contain a message from the President whereby he transmits a report to the Congress regarding the National Emergency with respect to Zimbabwe.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO ZIMBABWE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111–96)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2010.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.
THE WHITE HOUSE, *February 26, 2010.*

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:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2010.

Hon. NANCY PELOSI,
The Speaker, 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, I have the honor to transmit a sealed envelope received from the White House on Monday, March 1, 2010 at 2:15 p.m., and said to contain a message from the President whereby he transmits a message to the Congress regarding a proposed Constitution for the United States Virgin Islands.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

CONSTITUTION FOR THE UNITED STATES VIRGIN ISLANDS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and referred to the Committee on Natural Resources:

To the Congress of the United States:

In accordance with the requirements of Public Law 94–584 (the ''Act''), I hereby transmit to the Congress a proposed constitution for the United States Virgin Islands (USVI). The constitution, drafted by the Fifth Constitutional Convention of the United States Virgin Islands, was submitted to me on December 31, 2009, by Governor John P. deJongh, United States Virgin Islands. In submitting the proposed constitution, Governor deJongh expressed his concerns about several provisions of the proposed constitution, but he also expressed his hope that the people of the United States Virgin Islands continue to ''move ahead towards [their] goal of increased local governmental autonomy.''

The Act requires that I submit this proposed constitution to the Congress, along with my comments. The Congress then has 60 days to amend, modify, or approve the proposed constitution. If approved, or approved with modification, the constitution will be submitted for a referendum in the Virgin Islands for acceptance or rejection by the people.

In carrying out my responsibilities pursuant to the Act, I asked the Department of Justice, in consultation with the Department of the Interior, to provide its views of the proposed constitution. The Department of Justice concluded that several features of the proposed constitution warrant analysis and comment, including: (1) the absence of an express recognition of United States sovereignty and the supremacy of Federal law; (2) provisions for a special election on the USVI's territorial status; (3) provisions conferring legal advantages on certain groups defined by place and timing of birth, timing of residency, or ancestry; (4) residence requirements for certain offices; (5) provisions guaranteeing legislative representation of certain geographic areas; (6) provisions addressing territorial waters and marine resources; (7) imprecise language in certain provisions of the proposed constitution's bill of rights; (8) the possible need to repeal certain Federal laws if the proposed USVI constitution is adopted; and (9) the effect of congressional action or inaction on the proposed constitution.

To assist the Congress in its deliberations about this important matter, I attach the analysis of the Department of Justice, with which the Department of the Interior concurs. I believe that the analysis provided by the Department of Justice warrants careful attention.

I commend the electorate of the Virgin Islands and its governmental representatives in their continuing commitment to increasing self-government and the rule of law.

BARACK OBAMA.

THE WHITE HOUSE, *February 26, 2010.*

RECONCILIATION—DEMOCRATS CONSIDER MANEUVERS TO PASS GOVERNMENT TAKEOVER OF HEALTH CARE

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

Mr. WILSON of South Carolina. Madam Speaker, a government takeover of health care was rushed to happen last July, but during overflowing town hall meetings and then in Virginia, Massachusetts and New Jersey, the American people made it perfectly clear that a Big Government takeover of health care is not an option.

Almost a year later, this message unfortunately hasn't been received by the liberal majority. Instead of working across the aisle and reforming the bill to include less government and more commonsense bipartisan principles, liberal leaders are talking about bending the rules and rushing this by way of a process called reconciliation. This is a legislative maneuver that requires fewer votes than the regular process.

So the American people should listen this afternoon. The liberal majority knows the American people do not want this bill. They are left with a tricky maneuver that ignores what people have been fighting for and saying since last summer. I urge citizens to make their voices heard.

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

My sympathy to the family and friends of Charles Hamel of Chapin, South Carolina, a dedicated patriot.

HAPPY BIRTHDAY SAM HOUSTON

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

Mr. POE of Texas. Madam Speaker, it is Sam Houston's birthday. He was born in Virginia on March 2, 1793. He lived primarily in Tennessee, but he got to Texas as fast as he could.

Houston fought with Davy Crockett and Andrew Jackson during the Creek Indian wars of 1812. Later, he served as a Congressman and a Governor of Tennessee.

Sam spent time throughout his life living with the Cherokee Indians where the chief adopted him, naming him ''the Raven.'' He finally pulled up stakes and took off for Texas to help the Texas cause for independence against Mexico. In 1836, General Sam and the boys successfully led the Texi'ans at the Battle of San Jacinto against Mexico, and Texas became a free and independent nation.

Sam Houston was president of the Republic of Texas, and 9 years later, when Texas joined the Union, he became Governor and then a U.S. Senator. He is the only person in United States history to have served as a Governor and a Member of Congress from two States. The City of Houston and one of my grandsons, Barrett Houston, is named in his honor.

And that's just the way it is.

HAZARDS BILL REAUTHORIZATION

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

Mr. SMITH of Nebraska. Madam Speaker, I rise today in support of H.R. 3820, the Natural Hazards Risk Reduction Act of 2009, which we will be taking up later today.

This legislation reauthorizes and amends the National Earthquake Hazards Reduction Act and the National Windstorm Impact Reduction Act, ensuring agencies as diverse as FEMA, the U.S. Geological Survey, and the National Institute of Science and Technology have continuing appropriate authorizations to research the causes and forecasting of natural disasters, as well as ways to limit their negative impact.

The recent earthquakes in Haiti and Chile have certainly demonstrated the importance of developing improved methods of predicting and mitigating natural disasters. The contrast in outcomes between these two quakes has also demonstrated the clear benefit of preparedness and scientifically based building codes in containing casualties from a major disaster, if not the economic losses.

Nearly every part of the United States is susceptible to natural disasters in some form or another, and reauthorizing the programs in H.R. 3820 will ensure we remain at the forefront of this important research.

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.

NATURAL HAZARDS RISK REDUCTION ACT OF 2010

Mr. WU. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3820) to reauthorize Federal natural hazards reduction programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3820

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 ''Natural Hazards Risk Reduction Act of 2010''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States faces significant risks from many types of natural hazards, including earthquakes, hurricanes, tornadoes, wildfires, and floods. Increasing numbers of Americans are living in areas prone to these hazards.

(2) Earthquakes occur without warning and can have devastating effects. According to the U.S. Geological Survey, two recent earthquakes, the Northridge Earthquake in 1994, and the Loma Prieta Earthquake in 1989, killed nearly 100 people, injured 12,757, and caused $33 billion in damages. Nearly all States face some level of seismic risk. Twenty-six urban areas in 14 States have a significant seismic risk.

(3) Severe weather is the most costly natural hazard, measured on a per year basis. According to data from the National Weather Service over the last 10 years, tornadoes, thunderstorms, and hurricanes have caused an average of 226 fatalities and $16 billion of property damage per year. The 2005 hurricane season was one of the most destructive in United States history, killing 1,836 people, and causing $80 billion in damage.

(4) The United States Fire Administration reports that 38 percent of new home construction in 2002 was in areas adjacent to, or intermixed with, wildlands. Fires in the wildland-urban interface are costly. For example, the 2007 California Witch fire alone caused $1.3 billion in insured property losses, according to the Insurance Services Office (ISO). In addition, Government Accountability Office reported in 2007 that the Federal spending for wildfire suppression between 2001 and 2005 was, on average, $2.9 billion per year.

(5) Developing better knowledge about natural hazard phenomena and their effects is crucial to assessing the risks these hazards pose to communities. Instrumentation, monitoring, and data gathering to characterize earthquakes and wind events are important activities to increase this knowledge.

(6) Current building codes and standards can mitigate the damages caused by natural hazards. The Institute for Business and Home Safety estimated that the $19 billion in damage caused by Hurricane Andrew in 1994 could have been reduced by half if such codes and standards were in effect. Research for the continuous improvement of building codes, standards, and design practices—and for developing methods to retrofit existing structures—is crucial to mitigating losses from natural hazards.

(7) Since its creation in 1977, the National Earthquake Hazards Reduction Program (NEHRP) has supported research to develop seismic codes, standards, and building practices that have been widely adopted. The NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures and the Guidance for Seismic Performance Assessment of Buildings are two examples.

(8) Research to understand the institutional, social, behavioral, and economic factors that influence how households, businesses, and communities perceive risk and prepare for natural hazards, and how well they recover after a disaster, can increase the implementation of risk mitigation measures.

(9) A major goal of the Federal natural hazards-related research and development effort should be to reduce the loss of life and damage to communities and infrastructure through increasing the adoption of hazard mitigation measures.

(10) Research, development, and technology transfer to secure infrastructure is vitally important. Infrastructure that supports electricity, transportation, drinking water, and other services is vital immediately after a disaster, and their quick return to function speeds the economic recovery of a disaster-impacted community.

TITLE I—EARTHQUAKES

SEC. 101. SHORT TITLE.

This title may be cited as the ''National Earthquake Hazards Reduction Program Reauthorization Act of 2010''.

SEC. 102. FINDINGS.

Section 2 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701) is repealed.

SEC. 103. DEFINITIONS.

Section 4 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7703) is amended by striking paragraphs (8) and (9).

SEC. 104. NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM.

Section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704) is amended—

(1) in subsection (a)—

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

''(2) PROGRAM ACTIVITIES.—The activities of the Program shall be designed to—

''(A) research and develop effective methods, tools, and technologies to reduce the risk posed by earthquakes to the built environment, especially to lessen the risk to existing structures and lifelines;

''(B) improve the understanding of earthquakes and their effects on households, businesses, communities, buildings, structures, and lifelines, through interdisciplinary and multidisciplinary research that involves engineering, natural sciences, and social sciences; and

''(C) facilitate the adoption of earthquake risk reduction measures by households, businesses, communities, local, State, and Federal governments, national standards and model building code organizations, architects and engineers, building owners, and others with a role in planning for disasters and planning, constructing, retrofitting, and insuring buildings, structures, and lifelines through—

''(i) grants, contracts, cooperative agreements, and technical assistance;

''(ii) development of standards, guidelines, voluntary consensus standards, and other design guidance for earthquake hazards risk reduction for buildings, structures, and lifelines;

''(iii) outreach and information dissemination to communities on location-specific earthquake hazards and methods to reduce the risks from those hazards; and

''(iv) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction.''; and

(B) by striking paragraphs (3) through (5);

(2) by amending subsection (b) to read as follows:

''(b) RESPONSIBILITIES OF PROGRAM AGENCIES.—

''(1) LEAD AGENCY.—The National Institute of Standards and Technology (in this section referred to as the 'Institute') shall be responsible for planning and coordinating the Program. In carrying out this paragraph, the Director of the Institute shall—

''(A) ensure that the Program includes the necessary components to promote the implementation of earthquake hazards risk reduction measures by households, businesses, communities, local, State, and Federal governments, national standards and model building code organizations, architects and engineers, building owners, and others with a role in preparing for disasters, or the planning, constructing, retrofitting, and insuring of buildings, structures, and lifelines;

''(B) support the development of performance-based seismic engineering tools, and work with the appropriate groups to promote the commercial application of such tools, through earthquake-related building codes, standards, and construction practices;

''(C) ensure the use of social science research and findings in informing research and technology development priorities, communicating earthquake risks to the public, developing earthquake risk mitigation strategies, and preparing for earthquake disasters;

''(D) coordinate all Federal post-earthquake investigations; and

''(E) when warranted by research or investigative findings, issue recommendations for changes in model codes to the relevant code development organizations, and report back to Congress on whether such recommendations were adopted.

''(2) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—In addition to the lead agency responsibilities described under paragraph (1), the Institute shall be responsible for carrying out research and development to improve building codes and standards and practices for buildings, structures, and lifelines. In carrying out this paragraph, the Director of the Institute shall—

''(A) work, in conjunction with other appropriate Federal agencies, to support the development of improved seismic standards and model codes;

''(B) in coordination with other appropriate Federal agencies, work closely with standards and model code development organizations, professional societies, and practicing engineers, architects, and others involved in the construction of buildings, structures, and lifelines, to promote better building practices, including by—

''(i) developing technical resources for practitioners on new knowledge and standards of practice; and

''(ii) developing methods and tools to facilitate the incorporation of earthquake engineering principles into design and construction practices;

''(C) develop tools, technologies, methods, and practitioner guidance to feasibly and cost-effectively retrofit existing buildings and structures to increase their earthquake resiliency; and

''(D) work closely with national standards organizations, and other interested parties, to develop seismic safety standards and practices for new and existing lifelines.

''(3) FEDERAL EMERGENCY MANAGEMENT AGENCY.—

''(A) IN GENERAL.—The Federal Emergency Management Agency (in this paragraph referred to as the 'Agency'), consistent with the Agency's all hazards approach, shall be responsible for facilitating the development and adoption of standards, model building codes, and better seismic building practices, developing tools to assess earthquake hazards, promoting the adoption of hazard mitigation measures, and carrying out a program of direct assistance to States and localities to mitigate earthquake risks to buildings, structures, lifelines, and communities.

''(B) DIRECTOR'S DUTIES.—The Director of the Agency shall—

''(i) work closely with other relevant Federal agencies, standards and model building code development organizations, architects,

engineers, and other professionals, to facilitate the development and adoption of standards, model codes, and design and construction practices to increase the earthquake resiliency of new and existing buildings, structures, and lifelines in the—

''(I) preparation, maintenance, and wide dissemination of design guidance, model building codes and standards, and practices to increase the earthquake resiliency of new and existing buildings, structures, and lifelines;

''(II) development of performance-based design guidelines and methodologies supporting model codes for buildings, structures, and lifelines; and

''(III) development of methods and tools to facilitate the incorporation of earthquake engineering principles into design and construction practices;

''(ii) develop tools, technologies, and methods to assist local planners, and others, to model and predict the potential impact of earthquake damage in seismically hazardous areas; and

''(iii) support the implementation of a comprehensive earthquake education and public awareness program, including the development of materials and their wide dissemination to all appropriate audiences, and support public access to locality-specific information that may assist the public in preparing for, mitigating against, responding to, and recovering from earthquakes and related disasters.

''(C) STATE ASSISTANCE GRANT PROGRAM.—The Director of the Agency shall operate a program of grants and assistance to enable States to develop mitigation, preparedness, and response plans, compare inventories and conduct seismic safety inspections of critical structures and lifelines, update building and zoning codes and ordinances to enhance seismic safety, increase earthquake awareness and education, and encourage the development of multistate groups for such purposes. The Director shall operate such programs in coordination with the all hazards mitigation and preparedness programs authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), in order to ensure that such programs are as consistent as possible. In order to qualify for assistance under this subparagraph, a State must—

''(i) demonstrate that the assistance will result in enhanced seismic safety in the State;

''(ii) provide 50 percent of the costs of the activities for which assistance is being given, except that the Director may lower or waive the cost-share requirement for these activities in exceptional cases of economic hardship; and

''(iii) meet such other requirements as the Director of the Agency shall prescribe.

''(D) FEDERAL EMERGENCY MANAGEMENT AGENCY ROLE AND RESPONSIBILITY.—Nothing in this Act shall be construed to diminish the role and responsibility of the Federal Emergency Management Agency with regard to all hazards preparedness, response, recovery, and mitigation.

''(4) UNITED STATES GEOLOGICAL SURVEY.—The United States Geological Survey (in this paragraph referred to as the 'Survey') shall conduct research and other activities necessary to characterize and identify earthquake hazards, assess earthquake risks, monitor seismic activity, and provide real-time earthquake information. In carrying out this paragraph, the Director of the Survey shall—

''(A) conduct a systematic assessment of the seismic risks in each region of the Nation prone to earthquakes, including, where appropriate, the establishment and operation of intensive monitoring projects on hazardous faults, detailed seismic hazard and risk studies in urban and other developed areas where earthquake risk is determined to be significant, and engineering seismology studies;

''(B) work with officials of State and local governments to ensure that they are knowledgeable about the specific seismic risks in their areas;

''(C) develop standard procedures, in consultation with the Director of the Federal Emergency Management Agency, for issuing earthquake alerts, including aftershock advisories, and, to the extent possible, ensure that such alerts are compatible with the Integrated Public Alerts and Warning System program authorized by section 202 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5132);

''(D) issue when justified, and notify the Director of the Federal Emergency Management Agency of, an earthquake prediction or other earthquake advisory, which may be evaluated by the National Earthquake Prediction Evaluation Council;

''(E) operate, as integral parts of the Advanced National Seismic Research and Monitoring System, a National Earthquake Information Center and a national seismic network, together providing timely and accurate information on earthquakes world-wide;

''(F) support the operation of regional seismic networks in areas of higher seismic risk;

''(G) develop and support seismic instrumentation of buildings and other structures to obtain data on their response to earthquakes for use in engineering studies and assessment of damage;

''(H) monitor and assess Earth surface deformation as it pertains to the evaluation of earthquake hazards and impacts;

''(I) work with other Program agencies to maintain awareness of, and where appropriate cooperate with, earthquake risk reduction efforts in other countries, to ensure that the Program benefits from relevant information and advances in those countries;

''(J) maintain suitable seismic hazard maps in support of building codes for structures and lifelines, including additional maps needed for performance-based design approaches, and, to the extent possible, ensure that such maps are developed consistent with the multihazard advisory maps authorized by section 203(k) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(k));

''(K) conduct a competitive, peer-reviewed process which awards grants and cooperative agreements to complement and extend related internal Survey research and monitoring activities; and

''(L) operate, in cooperation with the National Science Foundation, a Global Seismographic Network for detection of earthquakes around the world and research into fundamental earth processes.

''(5) NATIONAL SCIENCE FOUNDATION.—The National Science Foundation shall be responsible for funding basic research that furthers the understanding of earthquakes, earthquake engineering, and community preparation and response to earthquakes. In carrying out this paragraph, the Director of the National Science Foundation shall—

''(A) support multidisciplinary and interdisciplinary research that will improve the resiliency of communities to earthquakes, including—

''(i) research that improves the safety and performance of buildings, structures, and lifelines, including the use of the large-scale experimental and computational facilities of the George E. Brown, Jr. Network for Engineering Earthquake Simulation;

''(ii) research to support more effective earthquake mitigation and response measures, such as developing better knowledge of the specific types of vulnerabilities faced by segments of the community vulnerable to earthquakes, addressing the barriers they face in adopting mitigation and preparation measures, and developing methods to better communicate the risks of earthquakes and to promote mitigation; and

''(iii) research on the response of communities, households, businesses, and emergency responders to earthquakes;

''(B) support research to understand earthquake processes, earthquake patterns, and earthquake frequencies;

''(C) encourage prompt dissemination of significant findings, sharing of data, samples, physical collections, and other supporting materials, and development of intellectual property so research results can be used by appropriate organizations to mitigate earthquake damage;

''(D) work with other Program agencies to maintain awareness of, and where appropriate cooperate with, earthquake risk reduction research efforts in other countries, to ensure that the Program benefits from relevant information and advances in those countries; and

''(E) include to the maximum extent practicable diverse institutions, including Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal Colleges and Universities, Alaska Native-serving institutions, and Native Hawaiian-serving institutions.''; and

(3) in subsection (c)(1) by inserting ''on Natural Hazards Risk Reduction established under section 301 of the Natural Hazards Risk Reduction Act of 2010'' after ''Interagency Coordinating Committee''.

SEC. 105. POST-EARTHQUAKE INVESTIGATIONS PROGRAM.

Section 11 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705e) is amended by striking ''There is established'' and all that follows through ''conduct of such earthquake investigations.'' and inserting ''The Program shall include a post-earthquake investigations program, the purpose of which is to investigate major earthquakes so as to learn lessons which can be applied to reduce the loss of lives and property in future earthquakes. The lead Program agency, in consultation with each Program agency, shall organize investigations to study the implications of the earthquakes in the areas of responsibility of each Program agency. The investigations shall begin as rapidly as possible and may be conducted by grantees and contractors. The Program agencies shall ensure that the results of the investigations are disseminated widely.''.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) is amended—

(1) by adding at the end of subsection (a) the following:

''(9) There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this Act—

''(A) $10,238,000 for fiscal year 2010;

''(B) $10,545,000 for fiscal year 2011;

''(C) $10,861,000 for fiscal year 2012;

''(D) $11,187,000 for fiscal year 2013; and

''(E) $11,523,000 for fiscal year 2014.'';

(2) by adding at the end of subsection (b) the following:

''(3) There are authorized to be appropriated to the United States Geological Survey for carrying out this Act—

''(A) $90,000,000 for fiscal year 2010, of which $36,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System;

''(B) $92,100,000 for fiscal year 2011, of which $37,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System;

''(C) $94,263,000 for fiscal year 2012, of which $38,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System;

''(D) $96,491,000 for fiscal year 2013, of which $39,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System; and

''(E) $98,786,000 for fiscal year 2014, of which $40,000,000 shall be made available for completion of the Advanced National Seismic Research and Monitoring System.'';

(3) by adding at the end of subsection (c) the following:

''(3) There are authorized to be appropriated to the National Science Foundation for carrying out this Act—

''(A) $64,125,000 for fiscal year 2010;

''(B) $66,049,000 for fiscal year 2011;

''(C) $68,030,000 for fiscal year 2012;

''(D) $70,071,000 for fiscal year 2013; and

''(E) $72,173,000 for fiscal year 2014.''; and

(4) by adding at the end of subsection (d) the following:

''(3) There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this Act—

''(A) $7,000,000 for fiscal year 2010;

''(B) $7,700,000 for fiscal year 2011;

''(C) $7,931,000 for fiscal year 2012;

''(D) $8,169,000 for fiscal year 2013; and

''(E) $8,414,000 for fiscal year 2014.''.

(b) CONFORMING AMENDMENT.—Section 14 of the National Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7708) is amended—

(1) by striking ''(a) ESTABLISHMENT.—''; and

(2) by striking subsection (b).

TITLE II—WIND

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Windstorm Impact Reduction Act Reauthorization of 2010''.

SEC. 202. PURPOSE.

Section 202 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15701) is amended to read as follows:

''SEC. 202. PURPOSE.

''It is the purpose of the Congress in this title to achieve a major measurable reduction in losses of life and property from windstorms through the establishment and maintenance of an effective Windstorm Impact Reduction Program. The objectives of such Program shall include—

''(1) the education of households, businesses, and communities about the risks posed by windstorms, and the identification of locations, structures, lifelines, and segments of the community which are especially vulnerable to windstorm damage and disruption, and the dissemination of information on methods to reduce those risks;

''(2) the development of technologically and economically feasible design and construction methods and procedures to make new and existing structures, in areas of windstorm risk, windstorm resilient, giving high priority to the development of such methods and procedures for lifelines, structures associated with a potential high loss of life, and structures that are especially needed in times of disasters, such as hospitals and public safety and shelter facilities;

''(3) the implementation, in areas of major windstorm risk, of instrumentation to record and gather data on windstorms and the characteristics of the wind during those events, and continued research to increase the understanding of windstorm phenomena;

''(4) the development, publication, and promotion, in conjunction with State and local officials and professional organizations, of model building codes and standards and other means to encourage consideration of information about windstorm risk in making decisions about land use policy and construction activity; and

''(5) the facilitation of the adoption of windstorm risk mitigation measures in areas of windstorm risk by households, businesses, and communities through outreach, incentive programs, and other means.''.

SEC. 203. DEFINITIONS.

Section 203(1) of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702(1)) is amended by striking ''Director of the Office of Science and Technology Policy'' and inserting ''Director of the National Institute of Standards and Technology''.

SEC. 204. NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.

Section 204 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15703) is amended to read as follows:

''SEC. 204. NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.

''(a) ESTABLISHMENT.—There is established the National Windstorm Impact Reduction Program.

''(b) PROGRAM ACTIVITIES.—The activities of the Program shall be designed to—

''(1) research and develop cost-effective, feasible methods, tools, and technologies to reduce the risks posed by windstorms to the built environment, especially to lessen the risk to existing structures and lifelines;

''(2) improve the understanding of windstorms and their impacts on households, businesses, communities, buildings, structures, and lifelines, through interdisciplinary and multidisciplinary research that involves engineering, natural sciences, and social sciences; and

''(3) facilitate the adoption of windstorm risk reduction measures by households, businesses, communities, local, State and Federal governments, national standards and model building code organizations, architects and engineers, building owners, and others with a role in planning for disasters and planning, constructing, retrofitting, and insuring buildings, structures, and lifelines through—

''(A) grants, contracts, cooperative agreements, and technical assistance;

''(B) development of hazard maps, standards, guidelines, voluntary consensus standards, and other design guidance for windstorm risk reduction for buildings, structures, and lifelines;

''(C) outreach and information dissemination to communities on site specific windstorm hazards and ways to reduce the risks from those hazards; and

''(D) development and maintenance of a repository of information, including technical data, on windstorm hazards and risk reduction;

''(c) RESPONSIBILITIES OF PROGRAM AGENCIES.—

''(1) LEAD AGENCY.—The National Institute of Standards and Technology (in this section referred to as the 'Institute') shall be responsible for planning and coordinating the Program. In carrying out this paragraph, the Director of the Institute shall—

''(A) ensure that the Program includes the necessary components to promote the implementation of windstorm risk reduction measures by households, businesses, communities, local, State, and Federal governments, national standards and model building code organizations, architects and engineers, building owners, and others with a role in planning and preparing for disasters, and planning constructing, and retrofitting, and insuring buildings, structures, and lifelines;

''(B) support the development of performance-based engineering tools, and work with the appropriate groups to promote the commercial application of such tools, through wind-related building codes, standards, and construction practices;

''(C) ensure the use of social science research and findings in informing the development of technology and research priorities, in communicating windstorm risks to the public, in developing windstorm risk mitigation strategies, and in preparing for windstorm disasters;

''(D) coordinate all Federal post-windstorm investigations; and

''(E) when warranted by research or investigative findings, issue recommendations for changes in model codes to the relevant code development organizations, and report back to Congress on whether such recommendations were adopted.

''(2) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—In addition to the lead agency responsibilities described under paragraph (1), the Institute shall be responsible for carrying out research and development to improve model codes, standards, design guidance and practices for the construction and retrofit of buildings, structures, and lifelines. In carrying out this paragraph, the Director of the Institute shall—

''(A) support the development of instrumentation, data processing, and archival capabilities, and standards for the instrumentation and its deployment, to measure wind, wind loading, and other properties of severe wind and structure response;

''(B) coordinate with other appropriate Federal agencies to make the data described in subparagraph (A) available to researchers, standards and code developers, and local planners;

''(C) support the development of tools and methods for the collection of data on the loss of and damage to structures, and data on surviving structures after severe windstorm events;

''(D) improve the knowledge of the impact of severe wind on buildings, structures, lifelines, and communities;

''(E) develop cost-effective windstorm impact reduction tools, methods, and technologies;

''(F) work, in conjunction with other appropriate Federal agencies, to support the development of wind standards and model codes; and

''(G) in conjunction with other appropriate Federal agencies, work closely with standards and model code development organizations, professional societies, and practicing engineers, architects, and others involved in the construction of buildings, structures, and lifelines, to promote better building practices, including by—

''(i) supporting the development of technical resources for practitioners to implement new knowledge; and

''(ii) supporting the development of methods and tools to incorporate wind engineering principles into design and construction practices.

''(3) FEDERAL EMERGENCY MANAGEMENT AGENCY.—The Federal Emergency Management Agency, consistent with the Agency's all hazards approach, shall support the development of risk assessment tools and effective mitigation techniques, assist with windstorm-related data collection and analysis, and support outreach, information dissemination, and implementation of windstorm preparedness and mitigation measures by households, businesses, and communities, including by—

''(A) working to develop or improve risk-assessment tools, methods, and models;

''(B) work closely with other appropriate Federal agencies to develop and facilitate the adoption of windstorm impact reduction measures, including by—

''(i) developing cost-effective retrofit measures for existing buildings, structures,

and lifelines to improve windstorm performance;

''(ii) developing methods, tools, and technologies to improve the planning, design, and construction of new buildings, structures, and lifelines;

''(iii) supporting the development of model wind codes and standards for buildings, structures, and lifelines; and

''(iv) developing technical resources for practitioners that reflect new knowledge and standards of practice; and

''(C) develop and disseminate guidelines for the construction of windstorm shelters.

Nothing in this Act shall be construed to diminish the role and responsibility of the Federal Emergency Management Agency with regard to all hazards preparedness, response, recovery, and mitigation.

''(4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The National Oceanic and Atmospheric Administration shall support atmospheric sciences research and data collection to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines, including by—

''(A) working with other appropriate Federal agencies to develop and deploy instrumentation to measure speed and other characteristics of wind, and to collect, analyze, and make available such data;

''(B) working with officials of State and local governments to ensure that they are knowledgeable about, and prepared for, the specific windstorm risks in their area;

''(C) supporting the development of suitable wind speed maps and other derivative products that support building codes and other hazard mitigation approaches for buildings, structures, and lifelines, and, to the extent possible, ensure that such maps and other derivative products are developed consistent with the multihazard advisory maps authorized by section 203(k) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(k));

''(D) conducting a competitive, peer-reviewed process which awards grants and cooperative agreements to complement the National Oceanic and Atmospheric Administration's wind-related and storm surge-related research and data collection activities;

''(E) working with other appropriate Federal agencies and State and local governments to develop or improve risk-assessment tools, methods, and models; and

''(F) working with other appropriate Federal agencies to develop storm surge models to better understand the interaction between windstorms and bodies of water.

''(5) NATIONAL SCIENCE FOUNDATION.—The National Science Foundation shall be responsible for funding basic research that furthers the understanding of windstorms, wind engineering, and community preparation and response to windstorms. In carrying out this paragraph, the Director of the National Science Foundation shall—

''(A) support multidisciplinary and interdisciplinary research that will improve the resiliency of communities to windstorms, including—

''(i) research that improves the safety and performance of buildings, structures, and lifelines;

''(ii) research to support more effective windstorm mitigation and response measures, such as developing better knowledge of the specific types of vulnerabilities faced by segments of the community vulnerable to windstorms, addressing the barriers they face in adopting mitigation and preparation measures, and developing methods to better communicate the risks of windstorms and to promote mitigation; and

''(iii) research on the response of communities to windstorms, including on the effectiveness of the emergency response, and the recovery process of communities, households, and businesses;

''(B) support research to understand windstorm processes, windstorm patterns, and windstorm frequencies;

''(C) encourage prompt dissemination of significant findings, sharing of data, samples, physical collections, and other supporting materials, and development of intellectual property so research results can be used by appropriate organizations to mitigate windstorm damage;

''(D) work with other Program agencies to maintain awareness of, and where appropriate cooperate with, windstorm risk reduction research efforts in other countries, to ensure that the Program benefits from relevant information and advances in those countries; and

''(E) include to the maximum extent practicable diverse institutions, including Historically Black Colleges and Universities, Hispanic-serving institutions, Tribal Colleges and Universities, Alaska Native-serving institutions, and Native Hawaiian-serving institutions.''.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the National Windstorm Impact Reduction Program of 2004 (42 U.S.C. 15706) is amended to read as follows:

''SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

''(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—

''(1) $9,682,000 for fiscal year 2010;

''(2) $9,972,500 for fiscal year 2011;

''(3) $10,271,600 for fiscal year 2012;

''(4) $10,579,800 for fiscal year 2013; and

''(5) $10,897,200 for fiscal year 2014.

''(b) NATIONAL SCIENCE FOUNDATION.—There are authorized to be appropriated to the National Science Foundation for carrying out this title—

''(1) $9,682,000 for fiscal year 2010;

''(2) $9,972,500 for fiscal year 2011;

''(3) $10,271,600 for fiscal year 2012;

''(4) $10,579,800 for fiscal year 2013; and

''(5) $10,897,200 for fiscal year 2014.

''(c) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—

''(1) $4,120,000 for fiscal year 2010;

''(2) $4,243,600 for fiscal year 2011;

''(3) $4,370,900 for fiscal year 2012;

''(4) $4,502,000 for fiscal year 2013; and

''(5) $4,637,100 for fiscal year 2014.

''(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—

''(1) $2,266,000 for fiscal year 2010;

''(2) $2,334,000 for fiscal year 2011;

''(3) $2,404,000 for fiscal year 2012;

''(4) $2,476,100 for fiscal year 2013; and

''(5) $2,550,400 for fiscal year 2014.''.

TITLE III—INTERAGENCY COORDINATING COMMITTEE ON NATURAL HAZARDS RISK REDUCTION

SEC. 301. INTERAGENCY COORDINATING COMMITTEE ON NATURAL HAZARDS RISK REDUCTION.

(a) IN GENERAL.—There is established an Interagency Coordinating Committee on Natural Hazards Risk Reduction, chaired by the Director of the National Institute of Standards and Technology.

(1) MEMBERSHIP.—In addition to the chair, the Committee shall be composed of—

(A) the directors of—

(i) the Federal Emergency Management Agency;

(ii) the United State Geological Survey;

(iii) the National Oceanic and Atmospheric Administration;

(iv) the National Science Foundation;

(v) the Office of Science and Technology Policy; and

(vi) the Office of Management and Budget; and

(B) the head of any other Federal agency the Committee considers appropriate.

(2) MEETINGS.—The Committee shall not meet less than 2 times a year at the call of the Director of the National Institute of Standards and Technology.

(3) GENERAL PURPOSE AND DUTIES.—The Committee shall oversee the planning and coordination of the National Earthquake Hazards Reduction Program and the National Windstorm Impact Reduction Program, and shall make proposals for planning and coordination of any other Federal research for natural hazard mitigation that the Committee considers appropriate.

(4) STRATEGIC PLANS.—The Committee shall develop and submit to Congress, not later than one year after the date of enactment of this Act—

(A) a Strategic Plan for the National Earthquake Hazards Reduction Program that includes—

(i) prioritized goals for such Program that will mitigate against the loss of life and property from future earthquakes;

(ii) short-term, mid-term, and long-term research objectives to achieve those goals;

(iii) a description of the role of each Program agency in achieving the prioritized goals;

(iv) the methods by which progress towards the goals will be assessed;

(v) an explanation of how the Program will foster the transfer of research results onto outcomes, such as improved building codes;

(vi) a description of the role of social science in informing the development of the prioritized goals and research objectives; and

(vii) a description of how the George E. Brown, Jr. Network for Earthquake Engineering Simulation and the Advanced National Seismic Research and Monitoring System will be used in achieving the prioritized goals and research objectives; and

(B) a Strategic Plan for the National Windstorm Impact Reduction Program that includes—

(i) prioritized goals for such Program that will mitigate against the loss of life and property from future windstorms;

(ii) short-term, mid-term, and long-term research objectives to achieve those goals;

(iii) a description of the role of each Program agency in achieving the prioritized goals;

(iv) the methods by which progress towards the goals will be assessed;

(v) an explanation of how the Program will foster the transfer of research results onto outcomes, such as improved building codes; and

(vi) a description of the role of social science in informing the development of the prioritized goals and research objectives.

(5) PROGRESS REPORTS.—Not later than one year after the date of enactment of this Act, and at least once every two years thereafter, the Committee shall submit to the Congress—

(A) a report on the progress of the National Earthquake Hazards Reduction Program that includes—

(i) a description of the activities funded for the previous two years of the Program, a description of how these activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities;

(ii) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan;

(iii) a description of any recommendations made to change existing building codes that were the result of Program activities; and

(iv) a description of the extent to which the Program has incorporated recommendations from the Advisory Committee on Earthquake Hazards Reduction; and

(B) a report on the progress of the National Windstorm Impact Reduction Program that includes—

(i) a description of the activities funded for the previous two years of the Program, a description of how these activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities;

(ii) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan;

(iii) a description of any recommendations made to change existing building codes that were the result of Program activities; and

(iv) a description of the extent to which the Program has incorporated recommendations from the Advisory Committee on Windstorm Impact Reduction.

(6) COORDINATED BUDGET.—The Committee shall develop a coordinated budget for the National Earthquake Hazards Reduction Program and a coordinated budget for the National Windstorm Impact Reduction Program. These budgets shall be submitted to the Congress at the time of the President's budget submission for each fiscal year.

(b) ADVISORY COMMITTEES ON NATURAL HAZARDS REDUCTION.—

(1) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish an Advisory Committee on Earthquake Hazards Reduction, an Advisory Committee on Windstorm Impact Reduction, and other such advisory committees as the Director considers necessary to advise the Institute on research, development, and technology transfer activities to mitigate the impact of natural disasters.

(2) ADVISORY COMMITTEE ON EARTHQUAKE HAZARDS REDUCTION.—The Advisory Committee on Earthquake Hazards Reduction shall be composed of at least 11 members, none of whom may be employees of the Federal Government, including representatives of research and academic institutions, industry standards development organizations, emergency management agencies, State and local government, and business communities who are qualified to provide advice on earthquake hazards reduction and represent all related scientific, architectural, and engineering disciplines. The recommendations of the Advisory Committee shall be considered by Federal agencies in implementing the National Earthquake Hazards Reduction Program.

(3) ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.—The Advisory Committee on Windstorm Impact Reduction shall be composed of at least 7 members, none of whom may be employees of the Federal Government, including representatives of research and academic institutions, industry standards development organizations, emergency management agencies, State and local government, and business communities who are qualified to provide advice on windstorm impact reduction and represent all related scientific, architectural, and engineering disciplines. The recommendations of the Advisory Committee shall be considered by Federal agencies in implementing the National Windstorm Impact Reduction Program.

(4) ASSESSMENTS.—The Advisory Committee on Earthquake Hazards Reduction and the Advisory Committee on Windstorm Impact Reduction shall offer assessments on—

(A) trends and developments in the natural, social, and engineering sciences and practices of earthquake hazards or windstorm impact mitigation;

(B) the priorities of the Programs' Strategic Plans;

(C) the coordination of the Programs; and

(D) and any revisions to the Programs which may be necessary.

(5) REPORTS.—At least every two years, the Advisory Committees shall report to the Director of the National Institute of Standards and Technology on the assessments carried out under paragraph (4) and their recommendations for ways to improve the Programs. In developing recommendations for the National Earthquake Hazards Reduction Program, the Advisory Committee on Earthquake Hazards Reduction shall consider the recommendations of the United States Geological Survey Scientific Earthquake Studies Advisory Committee.

(c) COORDINATION OF FEDERAL DISASTER RESEARCH, DEVELOPMENT, AND TECHNOLOGY TRANSFER.—Not later than 2 years after the date of enactment of this Act, the Subcommittee on Disaster Reduction of the Committee on Environment and Natural Resources of the National Science and Technology Council shall submit a report to the Congress identifying—

(1) current Federal research, development, and technology transfer activities that address hazard mitigation for natural disasters, including earthquakes, hurricanes, tornados, wildfires, floods, and the current budgets for these activities;

(2) areas of research that are common to two or more of the hazards identified in paragraph (1); and

(3) opportunities to create synergies between the research activities for the hazards identified in paragraph (1).

TITLE IV—NATIONAL CONSTRUCTION SAFETY TEAM ACT AMENDMENTS

SEC. 401. NATIONAL CONSTRUCTION SAFETY TEAM ACT AMENDMENTS.

The National Construction Safety Team Act (15 U.S.C. 7301 et seq.) is amended—

(1) in section 2(a)—

(A) by striking ''a building or buildings'' and inserting ''a building, buildings, or infrastructure''; and

(B) by striking ''To the maximum extent practicable, the Director shall establish and deploy a Team within 48 hours after such an event.'' and inserting ''The Director shall make a decision whether to deploy a Team within 72 hours after such an event.'';

(2) in section 2(b)(1), by striking ''buildings'' and inserting ''buildings or infrastructure'';

(3) in section 2(b)(2)(A), by striking ''building'' and inserting ''building or infrastructure'';

(4) in section 2(b)(2)(D), by striking ''buildings'' and inserting ''buildings or infrastructure'';

(5) in section 2(c)(1), by striking ''the United States Fire Administration and'';

(6) in section 2(c)(1)(G), by striking ''building'' and inserting ''building or infrastructure'';

(7) in section 2(c)(1)(J)—

(A) by striking ''building'' and inserting ''building or infrastructure''; and

(B) by inserting ''and the National Windstorm Impact Reduction Act of 2004'' after ''Act of 1977'';

(8) in section 4(a), by striking ''investigating a building'' and inserting ''investigating building and infrastructure'';

(9) in section 4(a)(1)—

(A) by striking ''a building'' and inserting ''a building or infrastructure''; and

(B) by striking ''building'' both of the other places it appears and inserting ''building or infrastructure'';

(10) in section 4(a)(3), by striking ''building'' both places it appears and inserting ''building or infrastructure'';

(11) in section 4(b), by striking ''building'' both places it appears and inserting ''building or infrastructure'';

(12) in section 4(c)(1) and (2), by striking ''building'' both places it appears and inserting ''building or infrastructure'';

(13) by amending section 4(d)(1) to read as follows:

''(1) IN GENERAL.—Except as otherwise provided in this subsection, a Team investigation shall have priority over any other investigation which is related to the purpose and duties set forth in section 2(b) and undertaken by any other Federal agency.'';

(14) in section 4(d)(3) and (4), by striking ''building'' both places it appears and inserting ''building or infrastructure'';

(15) in section 4, by adding at the end the following new paragraph:

''(5) INFRASTRUCTURE INVESTIGATIONS.—With respect to an investigation relating to an infrastructure failure, a Federal agency with primary jurisdiction over the failed infrastructure which is conducting an investigation and asserts priority over the Team investigation shall have such priority. Such priority shall not otherwise affect the authority of the Team to continue its investigation under this Act.'';

(16) in section 7(a), by striking ''on request and at reasonable cost'';

(17) in section 7(c), by striking ''building'' and inserting ''building or infrastructure'';

(18) in section 8(1) and (4), by striking ''building'' both places it appears and inserting ''building or infrastructure'';

(19) in section 9, by striking ''the United States Fire Administration and'';

(20) in section 9(2)(C), by striking ''building'' and inserting ''building or infrastructure'';

(21) in section 10(3), by striking ''building'' and inserting ''building and infrastructure'';

(22) in section 11(a), by striking ''the United States Fire Administration and''; and

(23) by striking section 12.

TITLE V—FIRE RESEARCH PROGRAM

SEC. 501. FIRE RESEARCH PROGRAM.

Section 16(a)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 278f(a)(1)) is amended—

(1) in subparagraph (D), by inserting ''fires at the wildland-urban interface,'' after ''but not limited to,''; and

(2) in subparagraph (E), by inserting ''fires at the wildland-urban interface,'' after ''types of fires, including''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WU) and the gentleman from Georgia (Mr. BROUN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WU. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3820, the bill under consideration.

□ 1415

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

Madam Speaker, I rise today in strong support of H.R. 3820, the Natural Hazards Risk Reduction Act of 2010. This bipartisan bill addresses a crucial need—securing our communities against earthquakes, hurricanes, tornadoes, and other natural phenomena.

As we saw last month in Haiti and just this past weekend in Chile, earthquakes can strike without warning, can cause massive damage and many, many casualties. Mitigation efforts, like advanced building codes, are crucial to preventing loss and injury. Preparation saves lives. The Chilean experience demonstrates the importance of preparation, of building codes, and of education.

H.R. 3820 reauthorizes two very important natural hazard mitigation programs—the Natural Earthquake Hazards Reduction Program and the National Windstorm Impact Reduction Program.

Since Congress created the National Earthquake Hazards Reduction Program, or NEHRP, in 1977, it has been used to study earthquake phenomena, to identify seismic hazards, and to develop building codes and practices to withstand earthquakes. This reauthorization will allow the U.S. Geological Survey, FEMA, the National Science Foundation, and the National Institute of Standards and Technology to continue their efforts to develop and to promote earthquake mitigation measures.

Created in 2004, the National Windstorm Impact Reduction Program, or NWIRP, is also a critical tool in countering the destructive forces of hurricanes, tornadoes, and other severe windstorms. Destructive windstorms are not limited to Florida, to the Gulf Coast, or to Tornado Alley in our Midwest. Two years ago, in my Pacific Northwest, we experienced 150-mile-per-hour winds, a storm which killed 18 people and which caused nearly $200 million in damage. Just last week, gusts of up to 90 miles per hour were reported in the Northeast, knocking out power for more than 87,000 New Yorkers and others in Pennsylvania through the Mid-Atlantic. The purpose of NWIRP is to study wind hazards and to develop building codes and practices to prevent damage.

The adoption of mitigation measures is the crucial last step in preventing losses from natural disasters. H.R. 3820 includes provisions to develop ways to cost effectively retrofit existing structures and to secure lifelines as well as provisions for research to identify the best methods to encourage homeowners, businesses, and communities to plan for natural disasters and to adopt mitigation and education measures.

H.R. 3820 also brings greater coordination to Federal natural hazards R&D efforts. It directs the relevant agencies to develop a multihazards research agenda and to identify where common research approaches are appropriate across different types of hazards. This will enable a research agenda where the lessons learned in one disaster will be applied to help prevent damage in another and, therefore, save lives. It will use scarce taxpayer dollars more effectively and more efficiently.

I would like to thank the ranking member of the Technology and Innovation Subcommittee, Mr. SMITH of Nebraska, for his hard work and support in helping us bring this bill to the floor.

I would also like to recognize my friend and colleague, Mr. BROUN of Georgia, who is here on the floor with us today.

I would similarly like to thank the chairman of the full Science and Technology Committee, Mr. BART GORDON of Tennessee, and the ranking member, Mr. HALL of Texas, the unforgettable Mr. HALL.

H.R. 3820 is supported by the American Society of Civil Engineers. I urge my colleagues to vote for its passage.

I reserve the balance of my time.

Mr. BROUN of Georgia. I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 3820, the National Hazards Risk Reduction Act of 2010.

Whether they come in the form of hurricanes, tornadoes, earthquakes, tsunamis, or other phenomena, natural hazards are infrequent and inevitable, and as illustrated by recent events in Haiti and in Chile, can be devastating to life and property.

The infrequency of such events is, of course, no excuse for complacency in taking steps to address them. The programs authorized in this legislation are the Federal Government's primary means of advancing science and technology to mitigate the risks of natural hazards. This legislation authorizes two programs—the National Earthquake Hazards Reduction Program, or NEHRP, and the National Windstorm Impact Reduction Program, NWIRP.

NEHRP was established in 1977 in response to growing concerns about the threat of damaging earthquakes. It is an agency effort consisting of four participating agencies: firstly, the National Institute of Standards and Technology, NIST, supporting problem-focused earthquake engineering research and development programs aimed at improving building design codes and construction standards; secondly, the National Science Foundation, NSF, supporting basic research in geoscience, engineering, economic, and social aspects of earthquakes; thirdly, the U.S. Geological Survey, USGS, conducting basic and applied Earth science and seismology research; fourthly, FEMA, which supports mitigation, response, education, outreach, and implementation of research results.

Similarly, the Windstorm Impact Reduction Program, created in 2004 and modeled after NEHRP, consists of four agencies—NIST, NSF and FEMA, as well as NOAA, the National Oceanic and Atmospheric Association, which funds research in the atmospheric sciences—to better understand, predict, and respond to hurricanes, tornadoes, and other windstorms.

The goals and activities of these two programs are clear. From engineering research to improve the structural resiliency of buildings, to the development of model building codes and standards, to recovery and response operations, the opportunities for leveraging earthquake mitigation and windstorm mitigation activities are numerous and substantial. Accordingly, the primary objective of this legislation is to establish an overarching coordination structure to improve communication, to exploit potential synergies, and to ensure that new knowledge developed from both programs can be translated into practice and, eventually, into decreased vulnerabilities.

Much progress has been made with the overall authorization levels in this bill, which have been reduced from prior authorization levels. In particular, at three of the four NEHRP agencies, authorized levels have been reduced to more realistic levels that still achieve its goals—a responsible approach given our ominous overall fiscal situation. At the fourth NEHRP agency, USGS, the authorization level has been modestly increased. This reflects a position by the lead authors of the bill that earthquake research should be a priority at USGS.

These two programs, if directed to the right priorities and implemented as a true, coordinated interagency effort, can become more effective and can be leveraged many times over.

I appreciate the hard work from my fellow members of the committee and staff to balance the need for minimizing the risk of these natural disasters with the fiscal reality of large deficits and debt.

Madam Speaker, I reserve the balance of my time.

Mr. WU. Madam Speaker, I yield 3 minutes to the chairman of the Research and Science Education Subcommittee of the Science Committee, the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank the chairman for yielding.

Madam Speaker, I have a background as an engineer. I actually have a master's degree in systems engineering. I understand the need for understanding how systems work and for understanding what can be done in preparation so that, in the case of Mr. WU's bill, we can do the best that we can to mitigate, to avoid the problems, and to deal with what happens in the aftermath of earthquakes and windstorms.

I thank Mr. WU for this bill, and I thank Chairman GORDON also for moving this bill forward and for bringing it to the House floor. I thank the Republicans for their work, and I thank Mr. BROUN here today.

I think this is something that we often forget about until after a disaster strikes. With the earthquake in Chile, we've heard so much talk about the planning beforehand, about the requirements that buildings have to be designed in a certain way to withstand earthquakes, and about the lives that were saved. Probably tens of thousands of lives were saved from this. This was all through a type of planning that can come through this bill.

I think it is also important—and I see this so often, not just in the NSF, NIST, USGS, or NOAA. We see all these silos—all these departments, agencies—which are doing separate work, and they don't oftentimes enough coordinate the work that they are doing. So I think this bill does a very good job of making sure that we have the coordination when it comes to planning for earthquakes and for looking into what we can do about that for windstorms.

So I thank Mr. WU for introducing this bill, and I urge my colleagues to support it.

Mr. BROUN of Georgia. Madam Speaker, I appreciate the hard work that my good friend from Oregon (Mr. WU) and my friend from Nebraska (Mr. SMITH) have put into this bill. Certainly, as a fiscal conservative, I am concerned about how the agencies within the Federal Government coordinate their activities and coordinate their communications. I congratulate Mr. WU on trying to bring overarching communications between these four governmental agencies.

Just today on Fox and Friends news, they had a seismologist who was predicting just in the very near future a major earthquake which would affect Mr. WU's home State of Oregon, the State of Washington, as well as the State of California. We've seen a tremendous number of earthquakes recently, and, I think, having the Federal Government agencies coordinate their efforts to try to find some way to communicate between those is absolutely a much needed process. I congratulate Mr. WU on his efforts to do that.

So, having said all of that, Madam Speaker, I am prepared to close, but I do just want to congratulate Mr. WU again on his hard work on this bill.

I yield back the balance of my time.

Mr. WU. I want to thank the gentleman from Georgia for his very kind remarks.

Madam Speaker, we do not and we actually should not agree all the time, because these are sincere differences which, I think, we reflect in our personal values and in the values of our constituents; but the legislation that we are dealing with today demonstrates this Congress' working at its best on those issues where we should be coming together, and we do.

I want to thank the gentleman. I want to thank Mr. SMITH and Mr. HALL on the minority side.

Mr. BROUN of Georgia. Would the gentleman yield?

Mr. WU. I would be happy to yield to the gentleman.

Mr. BROUN of Georgia. I agree wholeheartedly.

I wish we could get together on health reform and could get together and do something that's right for the American people. I wish we could get together on an economic stimulus package. Folks on our side would very much like to do so. It is unfortunate that we have such a philosophical divide on many issues.

Mr. WU, I have enjoyed working with you on the Science and Technology Committee. I love your State. I did my internship in Portland, Oregon, and I know that's where you live, in that area. I wish we could get together on many issues. I congratulate you on your leadership and for bringing together a bipartisan bill so that people do get together at least on this issue.

I commit to you, as well as to my Democratic colleagues, to work to try to find some commonsense solutions, market-based solutions, to health reform and to getting our economy back on course and other things. I hope that we can work together on these.

□ 1430

Mr. WU. I thank the gentleman for his kind remarks. Sometimes the largest things start in small ways, and the longest journey starts with a small step, and perhaps we are taking that step today, Mr. BROUN.

Storms teach us all sorts of things, and personal effort and caring matter a lot. The snowstorms that paralyzed this city a couple of weeks ago in some respects are a metaphor for what has been going on with the political and policy mechanisms that also occupy this city.

I believe that in my home State, within a few hours of the storm being over, we would be out there starting to clean up, and we would be doing a reasonable job fairly soon. What happened here was paralysis for days at a time, schools closing for the rest of the week, and people complaining about the city not cleaning the streets.

But what I noticed was that in my neighborhood, folks did shovel their sidewalks, and it makes a big difference. Just take care of your own sidewalk, and maybe help your neighbor, if your neighbor is old or just not able to do these things for him or herself. In the second storm, I actually offered to pay my son a little bit of money to shovel the whole block. Shoveling the block was the second most important thing to do. I think the most important thing to do was to teach him civic virtue and what serving the broader good is all about.

This bill does serve the broader national good. The example of Chile demonstrates the importance of preparation. It demonstrates the importance of American technology, because the Chileans borrowed their designs from the United States. It also helps us understand where we need to get better, because their highways had a lot of collapses, just as our highways during the quake in Los Angeles unfortunately collapsed, and perhaps we can improve our designs for that.

Education is also a very, very important component of earthquake safety. In my State, it is estimated that we could have a 9.5 Richter scale quake, just like the world's largest quake ever recorded. That one was down in Peru and Chile, and it was 9.5 on the Richter scale. The scientists tell us that is what can happen in the Pacific Northwest, and it actually has happened in the past.

Since the last ice age, these quakes have occurred every 200 to 1,000 years, and the average period was 300 years. We didn't know that this was going to go on. When I moved to Oregon, we didn't know anything about problems like this. But this is the problem of science.

Through research on tree roots which were buried in mud and research on Japanese records, we found out that the last such earthquake occurred in January of 1701, 309 years ago. So if the average period is 300 years, we are in that zone, and we ought to be prepared.

Education is key. Preparation is key. And it is not just the buildings, it is not just design, but it is also about educating people about what to do before the quake, what to do during the quake, what to do after the quake, and how do you prepare for a tsunami, how do you get out of the way.

It takes courage, and it takes overcoming fear, and there are different kinds of courage, and there are different kinds of fear. I know that some folks are concerned about what happens when we move to an all-hazards approach to these natural phenomena, and I can tell you that this Congress, this committee, Mr. BROUN and I, will stand united in providing the resources so that we can appropriately reduce risk across different phenomena, whether the risk is created by wind, by water, by earthquake, or by tsunami. That is the obligation of leadership, and we will provide the leadership to do that, because at the end of the day, the earthquakes, the wind and other hazards, they know no bounds, they know no geographic bounds, and they know no bounds with respect to age or income or any other hazard.

Madam Speaker, I ask all Members to vote in favor of this legislation.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 3820, the "Natural Hazards Risk Reduction Act of 2010". This bill reauthorizes natural hazard risk reduction programs, in particular the National Earthquake Hazards Reduction Program and the National Windstorm Impact Reduction Program.

Members of the Committee on Transportation and Infrastructure and I have been strong advocates for the reduction of the risks our Nation faces from natural hazards. I commend the gentleman from Tennessee (Mr. GORDON), Chairman of the Committee on Science and Technology, and the gentleman from Oregon (Mr. WU), for bringing this bill before the House today and for the cooperative spirit in which they have worked with our committee on this legislation.

The "Natural Hazards Risk Reduction Act of 2010", and the programs it authorizes, will assist communities and citizens across the country in reducing their risk from several natural hazards, that, unfortunately, occur all too often in our Nation. Specifically, this legislation addresses the risks from three hazards: earthquakes, windstorms, and fires.

We have all recently seen the destruction that earthquakes can cause. On January 12,

2010, a catastrophic earthquake measuring 7.0 on the Richter scale struck the island nation of Haiti. This earthquake was the largest earthquake to hit Haiti in over 200 years. An estimated 230,000 people lost their lives in this disaster, which affected over three million people.

I have a deep, personal connection to the people of Haiti: before I went to work for people of Minnesota, I lived in Haiti for almost 3 years. Since that time, I have followed events in that nation and have maintained many good friendships with Haitian citizens. In fact, I was in Haiti shortly before the earthquake hit, in October 2009. When I accompanied Speaker PELOSI on a bipartisan, bicameral trip to Haiti last month, I was struck by visions of places I saw just three months prior that were unrecognizable as they lie in complete and utter ruin. These haunting images clearly demonstrate the power of an earthquake, and the importance of ensuring we do everything we can to protect our citizens from such devastation.

This past weekend, another devastating earthquake struck Chile. This earthquake is believed to be hundreds of times more powerful than the earthquake that struck Haiti, yet early reports seem to indicate that the loss of life and destruction—while no less tragic—was less severe than in Haiti. There are likely a number of reasons for the reduced damage, including where the earthquake struck. However, it must also be recognized that Chile is a nation that is at great risk of seismic activity and has taken significant steps to reduce the risk that earthquakes pose to that nation and its citizens.

H.R. 3820 also addresses risks due to windstorms and wildfires. In my district in Minnesota, we have been unfortunate to bear witness to the devastating effects of both of these hazards, and how they can be related. On July 4, 1999, a straight line windstorm, also known as a derecho, struck the Boundary Waters Canoe Wilderness Area and downed millions of trees. Not only did this devastate the wilderness area and its surroundings, it also created a huge fire hazard from the fallen timber.

The citizens of Minnesota made every effort to reduce the risk of the fire. Residents in the affected areas utilized Federal Emergency Management Agency, FEMA, mitigation funds to install outdoor sprinkler systems to protect against wildfire. Unfortunately, although not unpredictably, in 2007, the Ham Lake Fire struck the area. The structures that had installed and maintained sprinkler systems were protected from the fire. This is another good example of how important it is to reduce the risk of natural hazards.

H.R. 3820 contains several amendments at the request of the Committee on Transportation and Infrastructure that will help ensure the earthquake, windstorm, and wildfire risk reduction programs authorized in this bill are consistent with FEMA's all-hazards approach. While the Federal Government currently administers risk reduction programs for earthquakes, floods, and windstorms as free-standing programs, it is important that such programs do not operate completely independently or in a ''stove piped'' manner. In the past, I have strongly opposed efforts by the Department of Homeland Security to channel Federal resources and focus away from all-hazards preparedness and response programs into terrorism programs, because this approach would segment by particular risk.

Specifically, H.R. 3820, as amended, will require that the National Earthquake Hazards Reduction Program and the National Windstorm Impact Reduction Program to be operated in coordination with the all-hazards mitigation and preparedness programs administered by FEMA and authorized by the Stafford Act. In this manner, States, communities, and citizens can utilize these programs in a coordinated manner. FEMA is already taking steps to coordinate among the agency's mitigation programs, by making the administrative requirements of its all-hazards and flood programs as consistent as possible. We anticipate FEMA will apply this sound approach to the programs authorized under this bill as well.

In addition, this legislation calls for the mapping of windstorm and earthquake risks. H.R. 3820, as amended, will require that, to the extent possible, these maps be developed consistent with the multi-hazard advisory maps authorized by the Stafford Act. It is not efficient or effective for communities to use separate maps identifying risk from each particular natural hazard the community may face. As hazard maps are now digitized, data for each type of risk can be easily superimposed on the same map, which will allow communities to use one common map in planning and identifying risks.

Finally, H.R. 3820 contains amendments to the National Construction Safety Teams Act and expands authority of the National Institute of Standards and Technology, NIST, to deploy teams to investigate infrastructure failure. NIST's current authority is limited to building collapse investigations. I am pleased that this bill, as amended, clarifies that the authority to deploy teams for infrastructure failure is limited to NIST's existing authority and expertise to investigate the structural causes of collapse, as well as building codes, and does not give NIST authority beyond that arena, such as a related transportation accident and incident investigation if there is also an infrastructure failure component. The amendment also ensures that if another Federal agency with jurisdiction over the infrastructure investigates the failure, such agency investigation will have priority over the NIST investigation. I look forward to continued work with the Committee on Science and Technology on this provision as we move ahead with this legislation.

I urge my colleagues to join me in supporting H.R. 3820, the ''Natural Hazards Risk Reduction Act of 2010.''

Mr. COSTA. Madam Speaker, I rise today in strong support of H.R. 3820, the Natural Hazards Risk Reduction Act of 2009. As a representative of a state that faces perhaps more natural hazard risk than any other—including not just from earthquakes, but also wildfires, windstorms, landslides, and tsunamis—I cannot overstate the importance of the programs authorized in this legislation, which are essential for protecting the lives and property of tens of millions of Californians.

Two tragedies over the past two months have shown us the dramatic difference that comes from being properly prepared for a natural disaster. The magnitude 7.0 earthquake in Haiti on January 12th struck a country that was woefully unprepared for such an event. Unreinforced buildings collapsed like houses of cards, and an almost unfathomable 200,000 people were killed. This past Sunday, a far-stronger magnitude 8.8 earthquake hit Chile, and while this tragedy claimed the lives of over 700, the death toll was much lower than Haiti's because people were protected by buildings constructed to withstand that sort of shaking.

The United States has not suffered these sorts of staggering casualties from a seismic event in over a hundred years, in large part due to the work of the U.S. Geological Survey's Earthquake Hazard Program. We cannot predict when the next major earthquake will strike the United States. But we know where it is most likely. And we have been able to enact building codes in those areas to protect people in their homes and offices. We have conducted preparedness drills so people know what to do when the Big One hits. We have been able to engineer pipelines, power lines, and roads to survive a major quake, so we can rebuild and recover as quickly as possible. The U.S. Geological Survey has helped make this all possible.

This legislation reauthorizes the National Earthquake Hazard Reduction Program, of which the U.S. Geological Survey's Earthquake Hazard Program is a part. When this legislation was first reported out of the Science and Technology Committee, I was concerned about the cut in authorization levels to the U.S. Geological Survey, which I believed reflected the wrong message about the importance of this critical program. I am pleased to say that after a hearing in my subcommittee on January 20th, my good friends BART GORDON, Chairman of the Science and Technology Committee, and DAVID WU, chief sponsor of this legislation, worked with me to increase the authorization levels and put the Earthquake Hazard Program on the path for continued growth. I would also like to thank the ranking member of my subcommittee, DOUG LAMBORN of Colorado, for working with me in this endeavor, as well as all the scientists and engineers who wrote to me expressing their support for this program.

Madam Speaker, in closing, I urge my colleagues to support this bill, but more importantly, I urge us all to help the people of Haiti and Chile in any way we can as they attempt to clean up and rebuild. The hopes and prayers of everyone in this Chamber are with them.

Mr. GORDON of Tennessee. Madam Speaker, I would like to thank Subcommittee Chairman DAVID WU, Subcommittee Ranking Member ADRIAN SMITH, and Ranking Member RALPH HALL for their hard work on this very important legislation that will do so much to help protect our communities from natural disasters. I also want to recognize the work of the Natural Resources Committee as well as the Transportation and Infrastructure Committee in arriving at the text we are considering today. Both Chairman RAHALL and Chairman OBERSTAR have been enormously helpful in getting this bill to the floor today. In addition, I want to recognize JIM COSTA, who chairs the Subcommittee on Energy and Mineral Resources at the Natural Resources Committee, and who has been a leader in working to protect our communities from earthquakes. At this time I would like to insert an exchange of letters between Chairman RAHALL and myself into the RECORD, and once again thank both Chairmen for their support.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, February 24, 2010.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to work with you on H.R. 3820, the Natural Hazards Risk Reduction Act of 2009, which was referred to the Committee on Science and Technology, and in addition to the Committee on Natural Resources.

Because of the continued cooperation and consideration that you have afforded me and my staff in developing these provisions, and knowing of your interest in expediting this legislation, I am willing to waive further consideration of H.R. 3820 by the Committee on Natural Resources at this time. Of course, this waiver is not intended to prejudice any future jurisdictional claims over the provisions of this legislation or similar language. I also reserve the right to seek to have conferees named from the Committee on Natural Resources on these provisions, and request your support if such a request is made.

Please place this letter into the committee report on H.R. 3820 and into the Congressional Record during consideration of the measure on the House floor.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,
Chairman, Committee on Natural Resources.

COMMITTEE ON SCIENCE
AND TECHNOLOGY,
Washington, DC, February 24, 2010.

Hon. NICK J. RAHALL II
Chairman, Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN RAHALL: Thank you for your letter regarding H.R. 3820, the Natural Hazards Risk Reduction Act of 2009. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that provisions in the bill are of jurisdictional interest to the Committee on Natural Resources. I acknowledge that by discharging the Committee on Natural Resources from further consideration of H.R. 3820, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Natural Resources has jurisdiction. A copy of our letters will be placed in the Committee Report on H.R. 3820 and in the Congressional Record during consideration of the bill on the House floor.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

BART GORDON,
Chairman.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WU) that the House suspend the rules and pass the bill, H.R. 3820, 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. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

NATIONAL ENGINEERS WEEK

Mr. WU. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1097), supporting the goals and ideals of National Engineers Week, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1097

Whereas engineers use their professional, scientific, and technical knowledge and skills in creative and innovative ways to fulfill the needs of society;

Whereas engineers have helped to address the major technological and infrastructural challenges of our time, including providing water, defending the Nation, and developing clean energy technologies that are needed to power the American people into the future;

Whereas engineers are a crucial link in research, development, and the transformation of scientific discoveries into useful products and jobs, as the people of the United States look more than ever to engineers and their imagination, knowledge, and analytical skills to meet the challenges of the future;

Whereas engineers play a crucial role in developing the consensus engineering standards that promote global collaboration and support reliable infrastructures;

Whereas the sponsors of National Engineers Week are working together to transform the engineering workforce through greater inclusion of women and underrepresented minorities;

Whereas the 2009 National Academy of Engineering and National Research Council report entitled ''Engineering in K–12 Education'' highlighted the potential role for engineering in primary and secondary education as a method to improve learning and achievement in science and mathematics, increase awareness of engineering and the work of engineers, help students understand and engage in engineering design, build interest in pursuing engineering as a career, and increase technological literacy;

Whereas an increasing number of the approximately 2,000,000 engineers in the United States are nearing retirement;

Whereas National Engineers Week has developed into a formal coalition of more than 100 professional societies, major corporations, and Government agencies that are dedicated to ensuring a diverse and well-educated engineering workforce, promoting literacy in science, technology, engineering, and math, and raising public awareness and appreciation of the contributions of engineers to society;

Whereas National Engineers Week is celebrated during the week of George Washington's birthday to honor the contributions that the first President, who was both a military engineer and a land surveyor, made to engineering; and

Whereas February 14, 2010, to February 20, 2010, has been designated as National Engineers Week by the National Engineers Week Foundation and its coalition members: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Engineers Week to increase understanding of and interest in engineering careers and to promote technological literacy and engineering education; and

(2) continues to work with the engineering community to ensure that the creativity and contributions made by engineers can be expressed through research, development, standardization, and innovation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WU) and the gentleman from Georgia (Mr. BROUN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WU. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on House Resolution 1097, the resolution now under consideration.

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

There was no objection.

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

Madam Speaker, I rise today in support of House Resolution 1097, supporting the goals and ideals of National Engineers Week.

I would first like to thank my friend and colleague, the chairman of the Subcommittee on Research and Science Education, Mr. LIPINSKI, for introducing this resolution. As one of only a handful of engineers in Congress, Mr. LIPINSKI has and will continue to be a strong advocate for engineers and engineering on the Science and Technology Committee and in Congress.

National Engineers Week, which was held from February 14 to February 20, has grown into a formal coalition of more than 100 engineering, education, and cultural societies, major corporations, and government agencies. Its goal is to raise public awareness of the significant positive contributions to society by engineers and encourage students to become engineers.

This resolution supports the goals and ideals of National Engineers Week. It also pledges that the House of Representatives will work with the engineering community to make sure that the creativity and contribution of the engineering community can be expressed through research, development, standardization, education, and innovation.

This is a vitally important cause for our country's future well-being. As China and India graduate record numbers of engineers, the number of engineering graduates in the United States is stagnant. This is a troubling sign for our ability to maintain our edge as the world's technologic leader.

I might add that numbers alone do not tell the story. Quality, as well as quantity, counts, and traditionally we in this country have focused on quality and maintaining the best education system and the best professional and technical communities that we can, and we intend to maintain that lead in quality also.

We also need to continue to highlight the importance engineers play in our

society and encourage our young people to enter into these careers. Engineering is a challenging field, but one that can be truly rewarding for both the engineer and our society.

I ask you to join me in supporting this effort, and urge passage of House Resolution 1097.

I reserve the balance of my time.

Mr. BROUN of Georgia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H. Res. 1097 supports the goals and ideals of National Engineers Week, which was celebrated this year February 14th through the 20th. The National Society of Professional Engineers established one of America's oldest professional outreach efforts, National Engineers Week, in 1951, to coincide with President George Washington's birthday. President Washington is considered our Nation's first engineer, notably for his survey work.

National Engineers Week is observed by more than 70 engineering, education, and cultural societies, and more than 50 corporations and governing agencies. The purpose of National Engineers Week is to call attention to the contributions to society that engineers make. It is also a time for engineers to emphasize the importance of learning math, science, and technical skills.

During this week, a wide range of activities are planned in order to promote interest in engineering and technology fields in the K–12 levels. Some of the events this year included Introduce a Girl to Engineering Day, which was held on February 18th. Schools and businesses around the country used this to spark interest and enthusiasm for science and engineering among young women.

Also Discover Engineering Family Day in Washington, D.C., occurred on February 20, 2010, at the National Building Museum. After a full day of hands-on activities and amazing demonstrations, kids and their parents went home with a new appreciation for the wonders of engineering.

Engineers are a vital part of the American economy. Everywhere you turn, there is evidence of the hard work of an engineer. From designing and constructing cardiac pacemakers to the very form of transportation we use to move us from one place to another, engineering is all around us.

I applaud our American engineers and their ingenuity and am pleased to see opportunities such as National Engineers Week that raise awareness and give credit to all of the engineers and their valuable work and contributions to society. I hope that the awareness spreads interest in this rewarding profession to all young people of this Nation.

I support the goals and ideals of National Engineers Week, and I urge my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

Mr. WU. Madam Speaker, I now yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), the Chair of the Research Subcommittee of the Science and Technology Committee.

Mr. LIPINSKI. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, I rise today in support of H. Res. 1097, supporting the goals and ideals of National Engineers Week. As one of only a handful of engineers in Congress, as Chairman WU mentioned, I am proud to again sponsor this resolution honoring National Engineers Week.

I would like to thank the gentleman from Michigan, Dr. EHLERS, for working with me on this resolution and on many other issues. Unfortunately for this institution and for America's science and technology policy, Dr. EHLERS announced a couple of weeks ago that he is retiring at the end of the year. We are going to miss his leadership and knowledge, especially in the area of science, technology, engineering, and math education. I will particularly miss working with him as a co-Chair of the STEM Ed Caucus. Promoting STEM Ed, and especially engineering education, is a big part of what National Engineers Week is all about.

Two weeks ago marked the 20th anniversary of National Engineers Week, and for each of the 5 years I have introduced this resolution, it seems to get more important.

□ 1445

We continue to fall behind other countries in the STEM fields, with China seemingly poised to overtake us as the leading producer of knowledge within a decade. Our infrastructure continues to languish, and we face serious energy and water challenges in our country. At the same time, we face an urgent need to create jobs.

If we want to solve these problems, any of these problems, we need engineers. Of course, engineers build bridges and airplanes, but they also are the ones who design our computer networks and turn new discoveries into products, industries, and jobs. The more than 2 million engineers in the U.S. have helped make our country great, but we need more of them, and we need to recognize the contributions they have made and continue to make to our Nation.

National Engineers Week seeks to address this problem through events aimed at educating youth and fostering public awareness about the vital contributions made by engineers to our quality of life and our economic prosperity. Through programs like Future City Competition, Introduce a Girl to Engineering Day, and the first robotics competition, the National Engineers Week Foundation confronts the challenge of encouraging more students to pursue careers in engineering. Engineering Week comprises numerous events like the ones I just mentioned.

Another example is students learning the value of teamwork as they work in groups to create creative and practical solutions to some of the most important problems facing our Nation and the world. Projects like designing future cities make engineering come alive for students, planting a seed that can lead to further studies or a career in engineering. In fact, research shows our children's early experience with science and engineering are a stronger prediction of long-lasting interest in science fields than aptitude tests. By drawing upon volunteers throughout country, Engineers Week reaches thousands of parents, teachers, and students, exposing them to the excitement of engineering in a real and tangible way.

I can attest that my own childhood experiences with science and engineering captivated me. As I grew up, I was always fascinated with the way things work. I remember going to the Museum of Science and Industry in Chicago. Touring the coal mine and watching the model trains run over this enormous track layout that they had were two of my favorite activities. These exhibits excited and captivated me. Most importantly, though, I remember the teachers in school who helped mold this childhood fascination into an interest in engineering. All these experiences instilled in me the knowledge, confidence, and intellectual curiosity needed to pursue an undergraduate degree in mechanical engineering at Northwestern University, and a master's degree in systems engineering at Stanford.

One of the central goals of National Engineers Week is to provide this kind of inspiration, inspiration that I had as a child, to inspire the next generation of students. We desperately need these students, since it's projected that by 2012, about 46 percent of all engineering jobs could become vacant due to retirement by the aging workforce. Educating and exciting America's youth about engineering and science needs to be a national priority. I understand personally that an engineering education is useful, no matter what someone decides to do. My education helps me understand science and technology issues, STEM education, transportation, manufacturing, and risk analysis.

But it is more than knowledge. Engineering is problem-solving. There are so many problems that we need to find solutions to, in our Nation and in the world, and engineers will be involved in finding all of these solutions.

Madam Speaker, I'd like to again thank the gentleman from Michigan, Dr. EHLERS, as well as the 27 other cosponsors of this resolution. I'd also like to thank Senator KAUFMAN for introducing a companion resolution in the Senate. Above all, I'd especially like to thank the engineers who have contributed so much to America and honor them for their commitment to continuing to better our society. I urge my colleagues to pass this resolution.

Mr. BROUN of Georgia. A lot of kids in this country think that engineers

just drive trains, and it's unfortunate that that's true. But this bill, recognizing the work of engineers, is so important. Our service academies have big engineering departments—in all of our military service academies. In my own field of medicine, it's engineers in the medical field that create a lot of the new products that have helped save lives in America and has helped us have the best health care system in the world.

Bringing forth the idea of educating the American public to the importance of engineering, I think, is extremely valuable. We need to encourage our kids to consider careers in engineering because we owe, in our economy and in our society, a tremendous amount not only to those engineers that drive the trains around and help deliver the goods that we need throughout the country, but the other engineers that go to great lengths to help improve our lives and have made America the greatest Nation in the world for our innovation and our technology. And it's engineers that we owe just a tremendous debt of gratitude to for what they do for this society.

So I'm very eager to see this legislation pass. I'm very proud to be here on the floor managing this bill. And I encourage all of our Members to support this legislation so that young men and women across this Nation can understand the importance of engineering—that all of society can—and will help to develop interest in the engineering field so that young men and women will go into engineering so we can continue with the design and innovation that has made this country great and will continue the greatness of America.

With that, I congratulate Mr. LIPINSKI and my good friend, Dr. EHLERS, for this legislation. I ask all of our colleagues to support this legislation.

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

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

I want to agree with my good friend and colleague from Georgia that America does indeed, does indeed, have the best care system in the world, if you can pay for it. And the great struggle in which we find ourselves today is the challenge of coming together—of coming together to help all Americans be able to pay for their health care. And I want to thank my friend for his service as a physician and as a Member of this body.

I also want to thank Dr. EHLERS, a Ph.D. and physicist, for his service in this body. We have worked on many issues together in a bipartisan fashion because these tend to be the issues which come before the Science and Technology Committee. For years, I was his ranking member and he was the chairman. For a few years, I was the chairman and he was my ranking member. It did not matter who was playing which role in our agreement or, quite frankly, in our disagreement. But we were always honest about it, and we were able to work together for the public good. Dr. EHLERS, VERN, thank you for your public service.

Today, I hope that my parents are actually watching C–SPAN because they are both research engineers. At a certain level, I remain concerned that they still regret that I left science and technology, first for law, and now for what I'll call public service. When I was here on this floor being sworn in, I can remember seeing them right there. And what was going through my head was, You know, I wonder if my dad is still angry that I left science and technology. He cares about it, and my mom does also, because they realize that engineering is hard and that it's important. Recognition in this resolution today is appropriate because it recognizes that engineering is hard.

All of us can remember that when we went through college, the engineers took these classes where they worked really, really hard, and they got three credits for it. We took some other things that weren't quite as hard, and we got five credits for it. So it is a difficult thing for a student, and it remains challenging as a young professional. I think that this body and this Nation should recognize and celebrate those things which are hard, at least in part just because they are hard. We should do some things because they are hard; we should do more of. That is the American way—to work your way through, to earn your way through, to step up to the challenge.

Today, we take a small step with this resolution of recognition. I ask that all Members support H.R. 1097.

I'm happy to yield to the gentleman from Georgia.

Mr. BROUN of Georgia. I thank the gentleman for yielding a moment.

I was just sitting here thinking, I'm sure Mr. WU's parents are extremely proud of him, and he can tell them that he is engaged in engineering. He's engaged in policy engineering and social engineering here in the U.S. House of Representatives. And I'm proud that he's my friend. We have a great time in Science and Technology because we can work together and can put personalities aside. Mr. WU has been just a phenomenal friend and member of this committee, and I congratulate him. I'm sure the Wu family is extremely proud of him, even though he's not in technical engineering. He's involved in some kind of engineering here in another form today.

Mr. WU. I thank the gentleman. I am concerned about my dad. I think my mom realizes that I'm doing my best, and I'm just trying to keep science and technology and engineering well funded through this committee.

Mr. HARE. Madam Speaker, I rise today in strong support of H. Res. 1097, a resolution recognizing National Engineers Week and the great contributions of engineers across this nation. From increasing energy efficiency to designing world-class skyscrapers to launching the space shuttle, engineers have paved the way for American progress. Our modern society exists as a testament to their commitment to invention, imagination and scientific wonder. Engineers have written the pages of our history while also plotting the direction of our future. National Engineers Week recognizes the accomplishments of America's engineers and promotes a new generation of discovery.

Today, engineers are tackling the largest issues of our time. For example, Argonne National Laboratory, located in my home state of Illinois, is working with government, industry and international partners to provide nuclear energy that is safe, dependable and environmentally manageable. Educational institutions such as the Engineering Department at Western Illinois University have nurtured creativity and leadership among its students for decades. Western's reputation for excellence has drawn students from around the world and has produced not only fine engineers but also extraordinary leaders of business and science.

Among the many reasons I joined the Congressional Science, Technology, Engineering and Mathematics, S.T.E.M., Education Caucus was to promote ingenuity among the bright minds of the American people. Engineering is a key component to providing the solutions our nation needs to take on the challenges that lie ahead. I am proud to tout the impressive engineering feats that have taken place throughout my district in both the public and private sectors of West Central Illinois. I hope to continue working with my colleagues on the S.T.E.M. Education Caucus to craft bipartisan, pro-engineering legislation to boost America to the forefront of global competitiveness once more.

America's future is only bound by our imagination. The imagination and innovation of America's engineers will continue to promote the growth and development of America, ensuring that our future will have no limit. Engineers have not only contributed to our stride in science and technology, but to our economy, our culture and our lives.

Madam Speaker, I commend my colleague from Illinois, Representative DANIEL LIPINSKI for introducing this worthy resolution which merits congressional action. I invite all of our colleagues to recognize National Engineers Week so that we may honor their contributions, past, present and future.

Mr. BLUMENAUER. Madam Speaker, I strongly support H. Res. 1097, Supporting the goals and ideals of National Engineers Week. Throughout my career at the local, State and Federal level, I have worked with engineers in Oregon and around the country on some of the world's biggest challenges. From addressing climate change to creating livable communities to helping deliver clean water to poor people around the world, engineers are often the first to roll up their sleeves and build solutions.

Over the past 10 years, I have seen a revolution within the engineering community, as both companies and individuals have been playing increasingly innovative roles. Organizations such as the American Council of Engineering Companies and the American Society of Civil Engineers have done a tremendous job of educating Members of Congress and the public about the infrastructure challenges this Nation faces as well as presenting commonsense solutions. I hope they will continue to work to leverage their colleagues and their communities to make even more progress on these fronts.

Engineers are leading the charge to renew and rebuild America in an economically and environmentally sustainable way, and I am pleased that we can honor them with this resolution highlighting National Engineers Week.

Mr. WU. Madam Speaker, I ask all Members to support the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WU) that the House suspend the rules and agree to the resolution, H. Res. 1097.

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

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

The point of no quorum is considered withdrawn.

□ 1500

CONGRATULATING UNITED STATES MILITARY ACADEMY AT WEST POINT

Mr. MARSHALL. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 747) congratulating the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 747

Whereas Forbes magazine has named the United States Military Academy at West Point as America's Best College for 2009;

Whereas U.S. News & World Report has named West Point as the Best Public Liberal Arts College in the United States;

Whereas U.S. News & World Report has consistently rated West Point's undergraduate engineering program as among the best in the United States;

Whereas the United States has had a military presence at West Point since the Revolutionary War because of its strategic position overlooking the Hudson River;

Whereas General George Washington selected Thaddeus Kosciuszko to design West Point's fortifications in 1778;

Whereas West Point is the oldest continuously occupied military post in America;

Whereas President Thomas Jefferson established the United States Military Academy at West Point in 1802;

Whereas West Point has educated many of the United States Army's commissioned officers;

Whereas West Point instructs 4,400 cadets per year in academics, military tactics, physical fitness, and leadership—all free of tuition;

Whereas 1,000 cadets graduate each year and are commissioned second lieutenants in the United States Army;

Whereas 2 Presidents of the United States, 74 Congressional Medal of Honor recipients, 88 Rhodes Scholars, 33 Marshall Scholars, and 28 Truman Scholars have graduated from West Point;

Whereas, in addition to academics and military training, West Point offers extracurricular activities that include 115 athletic and non-sport clubs and the Eisenhower Hall Theatre; and

Whereas West Point offers a well-rounded, highly regarded education to the next generation of the Nation's leaders: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009;

(2) supports West Point's mission ''to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army''; and

(3) directs the Clerk of the House of Representatives to transmit a copy of this resolution for appropriate display to the Superintendent of West Point.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Georgia (Mr. MARSHALL) and the gentleman from North Carolina (Mr. JONES) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

I rise today to support House Resolution 747, which was introduced by the gentleman from New York (Mr. HALL), which honors the recent accomplishments of the United States Military Academy at West Point for being named by Forbes magazine as America's Best College for 2009. I would like to thank my friend and colleague from New York (Mr. HALL), who is a member of the Veterans' Affairs Committee, for authoring this resolution and bringing it to the House floor.

The tradition of the West Point Military Academy has always been one of great achievement, and I am happy to be here today to recognize their excellence. I am particularly pleased to be here because my father and grandfather are both West Point graduates, now deceased. I should add that both Mr. HALL and myself are members of the Board of Visitors at West Point. So as you might imagine, we were pleased by the news that West Point had been named America's Best College by Forbes.

West Point has a tremendous history. Since the establishment of the academy at the direction of President Thomas Jefferson in 1802, West Point has been educating some of our Nation's best and brightest, who have gone on to distinguished service as officers in our United States military. West Point's mission is, and I quote, ''To educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country, and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army.'' This mission exceeds the scholastic aims of most academic institutions, and it reflects America's need for military leaders with integrity and a commitment to service.

West Point continues to provide exceptional education that prepares officers for their roles as future military leaders year after year. While many institutions have long traditions of academic success, few match the continued contributions West Point Military Academy graduates make year after year to their country. It is no wonder that two Presidents of the United States, 74 Congressional Medal of Honor recipients, 88 Rhodes Scholars, 33 Marshall Scholars, and 28 Truman Scholars have graduated from West Point.

Madam Speaker, I urge my colleagues to support this resolution.

With that, I reserve the balance of my time.

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

I rise in strong support of House Resolution 747, congratulating the United States Military Academy at West Point on being named by Forbes magazine as America's Best College for 2009. I want to commend Representative JOHN HALL of New York for sponsoring this legislation.

As our history shows us, West Point has a tradition of excellence that began with its establishment in 1802. For more than 200 years, our Nation in peace and war has been made a better place by the excellence of the leaders produced by the Military Academy. This most recent recognition of West Point by Forbes magazine is just the latest indication that the tradition of excellence continues.

For those of us whose duty it is in the House to be in close contact with Military Academy graduates, this recognition by Forbes magazine comes as no surprise. We are reminded frequently of the professional excellence and commitment to this Nation that West Point graduates consistently demonstrate. Those qualities in and of themselves are reason enough that we should remain supportive of this institution that has traditionally and consistently inspired young men and women to live such lives. I urge all Members to support this worthy resolution.

Madam Speaker, at this time I reserve the balance of my time.

Mr. MARSHALL. Madam Speaker, I would like to yield such time as he

may consume to Mr. HALL of New York, who is the author of this resolution. He is also a member of the Veterans' Affairs Committee, and chairs the Disability Assistance and Memorial Affairs Subcommittee of the Veterans' Affairs Committee. He is a great Member of Congress, and he is also a great member of the Board of Visitors at West Point.

Mr. HALL of New York. Thank you, Mr. MARSHALL, and thank you, Mr. JONES, for your kind words of support of my legislation, House Resolution 747. Thank you as well to Chairman SKELTON and Ranking Member MCKEON for bringing this legislation through the Armed Services Committee to the House floor.

Madam Speaker, H. Res. 747 recognizes the achievement of the United States Military Academy at West Point for being named Forbes magazine's best college in 2009. Not best military academy, but best college overall. In fact, the headline on the front of that issue of Forbes said, ''Why West Point Beats Harvard.'' And I think it is something that many of us don't realize, that not only is the academy turning out exemplary officers who will serve this country with great creativity and loyalty and imagination and energy, but they are turning out well-rounded students who know about a variety of very important subjects that are taught as well or better at that school as at any public or private university in the country.

I have the honor of representing West Point in the 19th Congressional District of New York, and the 4,400 cadets who make up the student body at the United States Military Academy. I also have the honor, along with my friend, the gentleman from Georgia (Mr. MARSHALL), of serving on the West Point Board of Visitors.

The Forbes rankings were based on evaluations of students, the success of the graduates of the school, and on the average debt incurred by graduates. It is a great tribute to the caliber of the cadets, the faculty, and the administration of West Point to be ranked with and now above the other great institutions of higher learning in this country based on these important criteria.

Graduates of West Point have served their Nation with the highest level of skill, honor, and devotion for more than 200 years. More than 70 West Point grads have received the Medal of Honor for their service to our country. Each of the senior commanding generals in Iraq and Afghanistan are alumni. And 74 West Point graduates have given their lives in Afghanistan and Iraq.

West Point's cadets fully embody the academy's motto, ''Duty, Honor, Country.'' West Point is a national treasure and a jewel of the Hudson Valley, where today's heroes and tomorrow's leaders are trained. I am proud of their accomplishments and pleased that they have gotten the recognition that they have earned. I am especially proud of my nephew, who will be one of the graduates of the class of 2010.

I ask my colleagues to join us in supporting H. Res. 747.

Mr. JONES. Madam Speaker, I would like to yield 4 minutes to the gentleman from Illinois (Mr. SHIMKUS), a West Point graduate himself.

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

Mr. SHIMKUS. Madam Speaker, I am honored to come to the floor with my good friend, Congressman JONES, and also two members of the Board of Visitors, Congressman HALL, who also represents that area, and Congressman MARSHALL, who served honorably in the Vietnam conflict and is a great friend. They both serve on the Board of Visitors, which I have recently been named on. I look forward to doing the job I guess next week, when we meet to continue the job.

Congressman MARSHALL did mention the mission of the United States Military Academy, which is, ''To educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country, and prepared for a career of professional excellence and service to the Nation as an officer of the United States Army.''

As was noted, I graduated in 1980. I had many of my classmates who are major commanders and leaders in the areas of battle today. The number one responsibility of the Federal Government is the protection of our citizens. We do that by having a standing military. We have learned that the importance of having a professional military force is critical. Thomas Jefferson learned that and instituted the development of the United States Military Academy in 1802. The important thing that Thomas Jefferson did that was different, though, was he focused on raising the professional military Army out of the regular citizens of our country, thus developing this process of which we nominate and we accept. So that it is not an elite from the elite, but it is a perspective of all Americans.

Every young man or woman who achieves good grades, are kids of character, strong moral conviction, athletically fit and sound can compete for this opportunity for an education, which has been noted by the magazine article. But they do it for more than just a good education, because it is at great risk. Because what they have agreed to do is serve their country. And that is not a small decision to make in this environment.

I would like to submit for the RECORD since the global war on terror, since September 11, 2001, a list of those West Pointers who fell in the line of duty.

Lieutenant Colonel (Ret.) William E. Bowers ..... USMA 1979
Colonel James W. Harrison, Jr., U.S. Army ..... USMA 1981
Lieutenant Colonel Dominic R. Baragona, U.S. Army ..... USMA 1982
Colonel Brian D. Allgood, U.S. Army ..... USMA 1982
Colonel Theodore S. Westhusing, U.S. Army ..... USMA 1983
Lieutenant Colonel Michael J. McMahon, U.S. Army ..... USMA 1985
Mr. Douglas B. Gurian ..... USMA 1986
Lieutenant Colonel Paul J. Finken, U.S. Army ..... USMA 1989
Lieutenant Colonel James J. Walton, U.S. Army ..... USMA 1989
Major Curtis D. Feistner, U.S. Army ..... USMA 1990
Major William F. Hecker III, U.S. Army ..... USMA 1991
Major Guy Barattieri, U.S. Army USMA 1992
Major Stephen C. Reich, U.S. Army ..... USMA 1993
Major Jason E. George U.S. Army USMA 1994
Captain Bartt D. Owens, U.S. Army ..... USMA 1994
Captain James F. Adamouski, U.S. Army ..... USMA 1995
Captain John F. Kurth, U.S. Army ..... USMA 1995
Captain Joshua T. Byers, U.S. Army ..... USMA 1996
Captain Matthew J. August, U.S. Army ..... USMA 1997
Captain Philip T. Esposito, U.S. Army ..... USMA 1997
Captain Michael J. MacKinnon, U.S. Army ..... USMA 1997
Captain Mark C. Paine, U.S. Army ..... USMA 1997
Captain Eric T. Paliwoda, U.S. Army ..... USMA 1997
Captain Ian P. Weikel, U.S. Army USMA 1997
Captain Nathan S. Dalley, U.S. Army ..... USMA 1998
Captain Stephen W. Frank, U.S. Army ..... USMA 1998
Captain Ralph J. Harting III, U.S. Army ..... USMA 1998
Captain Christopher B. Johnson, U.S. Army ..... USMA 1998
Captain Dennis L. Pintor, U.S. Army ..... USMA 1998
Captain David A. Boris, U.S. Army ..... USMA 1999
Captain Douglas A. Dicenzo, U.S. Army ..... USMA 1999
Captain Brian S. Freeman, U.S. Army ..... USMA 1999
Captain Benedict J. Smith, U.S. Army ..... USMA 1999
Captain Corry P Tyler, U.S. Army ..... USMA 1999
First Lieutenant Leif E. Nott, U.S. Army ..... USMA 2000
Captain Benjamin D. Tiffner, U.S. Army ..... USMA 2000
First Lieutenant David R. Bernstein, U.S. Army ..... USMA 2001
Captain John L. Hallett III, U.S. Army ..... USMA 2001
Captain Andrew R. Houghton, U.S. Army ..... USMA 2001
Captain Joe F. Lusk II, U.S. Army ..... USMA 2001
Captain Andrew R. Pearson, U.S. Army ..... USMA 2001
First Lieutenant Michael R. Adams, U.S. Army ..... USMA 2002
First Lieutenant Todd Bryant, U.S. Army ..... USMA 2002
Captain Brian M. Bunting, U.S. Army ..... USMA 2002
Captain Mark A. Garner, U.S. Army ..... USMA 2002
Captain James M. Gurbisz, U.S. Army ..... USMA 2002
Captain Drew N. Jensen, U.S. Army ..... USMA 2002
First Lieutenant Kevin J. Smith, U.S. Army ..... USMA 2002

Captain Torre R. Mallard, U.S. Army ..... USMA 2002
Captain Timothy J. Moshier, U.S. Army ..... USMA 2002
Second Lieutenant Leonard M. Cowherd, U.S. Army ..... USMA 2003
First Lieutenant Derek S. Hines, U.S. Army ..... USMA 2003
Captain Rhett W. Schiller, U.S. Army ..... USMA 2003
First Lieutenant Laura M. Walker, U.S. Army ..... USMA 2003
First Lieutenant Garrison C. Avery, U.S. Army ..... USMA 2004
First Lieutenant Benjamin T. Britt, U.S. Army ..... USMA 2004
First Lieutenant Amos ''Camden'' R. Bock, U.S. Army ..... USMA 2004
Captain Michael A. Cerrone, U.S. Army ..... USMA 2004
Captain John R. Dennison, U.S. Army ..... USMA 2004
Captain David M. Fraser, U.S. Army ..... USMA 2004
Captain Paul W. Pena, U.S. Army USMA 2004
First Lieutenant Robert A. Seidel III, U.S. Army ..... USMA 2004
Captain Adam P. Snyder, U.S. Army ..... USMA 2004
Captain Daniel P. Whitten, U.S. Army ..... USMA 2004
First Lieutenant Dennis W. Zilinski, U.S. Army ..... USMA 2004
First Lieutenant Jonathan W. Edds, U.S. Army ..... USMA 2005
First Lieutenant Matthew C. Ferrara, U.S. Army ..... USMA 2005
First Lieutenant Jacob N. Fritz, U.S. Army ..... USMA 2005
First Lieutenant Thomas M. Martin, U.S. Army ..... USMA 2005
First Lieutenant Phillip I. Neel, U.S. Army ..... USMA 2005
Second Lieutenant Emily J. T. Perez, U.S. Army ..... USMA 2005
First Lieutenant Timothy W. Cunningham ..... USMA 2006
First Lieutenant Nick A. Dewhirst, U.S. Army ..... USMA 2006
Second Lieutenant Michael R. Girdano, U.S. Army ..... USMA 2007
First Lieutenant Daniel B. Hyde, U.S. Army ..... USMA 2007
First Lieutenant Tyler E. Parten, U.S. Army .....USMA 2007.

Notably, there are three from the class of 2007 so far in this campaign. So these are real patriots and these are young men and women who since the attacks—in fact, if you are at the academy and you go out to Lake Frederick and climb up on the hill and get on one of the old fire stands, you can see the outlines of New York City. And when I was there as a young man, you could see at that time the World Trade Center, which is no more.

West Point still inspires dedication, commitment, and young men and women who want to serve their country at a great institution of higher learning, being prepared to put their lives on the line in the defense of their country.

So I appreciate this time just to highlight what we do at West Point, but also at our other academies, the Naval Academy, the Air Force Academy—that is hard for me to say—Coast Guard Academy, Merchant Marine Academy. And we want to make sure that all our young men and women know that they have a great opportunity to serve their country, the best one being at West Point. And I look forward to working with my colleagues to make sure that commitment to excellence continues for many years to come.

I thank my colleague for giving me the time.

Mr. MARSHALL. Madam Speaker, I appreciate the words of Mr. SHIMKUS. I appreciate his service. I hope everybody takes those words to heart.

I yield 3 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Madam Speaker, I thank Mr. MARSHALL for recognizing me for this period of time.

I want to recognize Mr. HALL for his leadership in bringing this resolution to the floor and for his service to the congressional district which includes West Point, and Mr. JONES on the Republican side, who has been a good friend and colleague.

I have always taken pride in sending good young people to the service academies, including West Point. And now I can say that for those who are going to West Point that Forbes has selected your institution as the finest college in America in 2009. I do believe, though, that these young people who go to our service academies are there not only to get a great education, they are there for service, and the highest kind of public service, because it puts them at great personal risk.

My first recollection of visiting West Point was at the age of 8. At that point I was an immigrant child. I am not sure that I knew English completely, but I could read well enough to read the stone, that not too large stone there that has a very large phrase on it: ''Duty, Honor, Country,'' the words that the United States military has lived by, under civilian leadership, for over 200 years. And I want to honor that long gray line that I saw in 1962. I just also wonder whether those academy graduates from the class of '63 or '64, whether there are any left in active service, and perhaps they would be a four-star today.

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There is a long line of service. Thank you very much, Mr. MARSHALL and Mr. HALL, for bringing this resolution to us.

Mr. JONES. Madam Speaker, I just want to briefly thank Mr. HALL and everyone who has spoken today.

I do not know a bigger thrill for me, as a congressman, when I call a young person in my district, whom I have nominated to one of the three academies, to tell them to expect a letter of appointment. It is a thrill that every time I make the call, every time it is a thrill.

I want to thank Mr. HALL for this resolution today and also Mr. MARSHALL and those who have spoken.

I yield back the balance of my time.

Mr. MARSHALL. Madam Speaker, earlier this year, the President made an announcement concerning troop buildup, the proposed plan where Afghanistan is concerned and the plan to increase the presence of American soldiers there. He made the announcement in Eisenhower Hall at West Point. I was privileged, along with Mr. HALL and a few other Members of Congress, to attend that. I was really struck by the fact that the Commander in Chief, our President, was talking to thousands of young men and women, some of whom, for sure, will wind up being injured, protecting our country in Afghanistan.

I am wearing my infantry tie today. I have my CIB on. I had the privilege of having a couple years of service back during the Vietnam War. And I say it's a privilege, and I view it that way. People will often say to me, Thank you for your service. And sometimes I will respond, You don't really need to thank me. I got more out of this than I gave.

I encourage all young Americans to think about attending one of our academies. West Point has received its recognition as the best college in the United States, but all of the academies give wonderful educations, and they give you a wonderful opportunity to serve. It almost certainly will wind up being the most extraordinary thing that you do during your lifetime should you choose to go through one of the academies and then serve in our military. That's certainly the case where I am concerned, and I have done a lot of things in my life.

The most extraordinary time in my life was when I was in service, particularly when I was in combat. So I thank the country for having given me that opportunity. And if you're a kid and you are thinking about college, you ought to think about our service academies. You not only get a great education, but you have an opportunity to serve in a way that you will not be able to serve in any other capacity in this country, and you will really feel good about it if you do it well.

So I thank Mr. JONES. He is a great member of the Armed Services Committee, a great Member of this Congress, and a real supporter of the military.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. MARSHALL) that the House suspend the rules and agree to the resolution, H. Res. 747.

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

The yeas and nays were ordered.

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

HONORING 139TH AIRLIFT WING

Mr. MARSHALL. Madam Speaker, I move to suspend the rules and agree to

the resolution (H. Res. 699) expressing the appreciation of Congress for the service and sacrifice of the members of the 139th Airlift Wing, Air National Guard, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 699

Whereas the 139th Airlift Wing (AW), Air National Guard has its roots in the formation of the 180th Bombardment Squadron (Light), which was one of the first federally recognized Air National Guard units in the United States;

Whereas the 180th Bombardment Squadron deployed in support of the Korean War in December 1951;

Whereas in 1976, the unit was redesignated as the 139th Tactical Airlift Group (TAG);

Whereas in 1990, the 139th TAG assisted in troop deployment during Operation Desert Storm;

Whereas in 1992, the unit was redesignated the 139th Airlift Group (AG);

Whereas, between 1992 and 1996, the 139th AG supported humanitarian operations in Bosnia, Sarajevo, Africa, and Haiti;

Whereas in 1995, the unit officially became known as the 139th Airlift Wing;

Whereas, between 1998 and 2004, the 139th AW supported military operations alongside North Atlantic Treaty Organization (NATO) forces as part of Operation Joint Forge in Europe;

Whereas in 2002, the 139th AW deployed in support of Operation Enduring Freedom in Afghanistan;

Whereas in 2005, the 139th AW assisted with disaster relief efforts in response to Hurricane Katrina;

Whereas in December 2007, the 139th AW was enlisted to support efforts in response to a devastating ice storm that struck Northwest Missouri; and

Whereas the 139th AW hosts the renowned Advanced Airlift Tactics Training Center (AATTC);

Whereas NATO air forces utilize the AATTC in support of training operations;

Whereas in 2008, the Headquarters United States Air Force General Officers' Steering Committee approved a Total Force Integration Initiative designating the AATTC as a blended unit of Air National Guard, Air Force Reserve, and Regular Air Force members;

Whereas in 2008, the AATTC was designated the Mobility Air Forces Tactics Center of Excellence;

Whereas nearly 2,500 civilians and military personnel from Northwest Missouri and Northeast Kansas serve selflessly in the 139th AW: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the exemplary service and sacrifice of the members of the 139th Airlift Wing and their families; and

(2) commends the members of the 139th AW and their families (and all of the other members of the Armed Forces who have served, or who are currently serving, in support of United States military contingency operations) for their service and sacrifice on behalf of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. MARSHALL) and the gentleman from North Carolina (Mr. JONES) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. MARSHALL. I ask that all Members have 5 legislative days in which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, I rise today in support of House Resolution 699, recognizing the service and sacrifice of the members of the 139th Airlift Wing of the Air National Guard. I would like to thank my colleague, the gentleman from Missouri (Mr. GRAVES), for bringing this resolution before the House.

Units of the Air National Guard play a critical role in America's wars and major contingencies as well as provide valuable assistance to their States in times of crisis. I'm extraordinarily proud of Georgia's Air National Guard and the 116th blended wing that's housed at Robins Air Force Base. The 139th Airlift Wing has roots in one of the federally recognized Air National Guard units in the United States, and it continues to be an important part of defense efforts at home and abroad.

The unit deployed in support Operation Enduring Freedom in Afghanistan and assisted in troop deployment during Operation Desert Storm. In the 1990s, the 139th supported humanitarian operations in Bosnia, Sarajevo, Africa, and Haiti. In addition to their efforts overseas, in 2005, they assisted with disaster relief efforts in response to Hurricane Katrina. Today, thousands of civilian and military personnel from northwest Missouri and northeast Kansas serve selflessly in the unit.

The 139th Airlift Wing provides essential support to maintenance and growth of the armed services. The unit is home to the Advanced Airlift Tactics Training Center that trains U.S. airlift crews and support personnel as well as NATO air forces in advanced tactics training.

House Resolution 699 recognizes the dedication and courage of not only the members of the 139th Airlift Wing and their families and service to the Nation, but also all of the members of the Armed Forces who have served or are currently serving in support of the United States military contingency operations. All our servicemembers and their families deserve our deepest gratitude and respect.

I urge my colleagues to join me in recognizing the exemplary service and sacrifices of the 139th Airlift Wing by supporting House Resolution 699.

I reserve the balance of my time.

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

I rise in support of House Resolution 699, which recognizes the service and sacrifice of the members of the 139th Airlift Wing, Missouri Air National Guard. I want to commend my friend SAM GRAVES of Missouri for sponsoring this legislation.

The 139th Airlift Wing is a remarkably diverse and capable unit. For example, one of its major subordinate units is the Advanced Airlift Tactics Training Center. That unit exemplifies the total force concept because its members come not only from the Air National Guard but also from the Air Force Reserve and the active Air Force. They provide advanced tactical training to improve the effectiveness and suitability of airlift crews from all components of the Air Force—the Special Operations Command, the Marine Corps, and 15 allied nations.

Members of the wing have deployed in support of operations in Iraq and Afghanistan, to include providing the security element for a Missouri agribusiness development team that returned last fall from a year-long mission in Afghanistan. The success of the 139th Airlift Wing is directly related to the dedication, sacrifice, and professionalism of the nearly 2,500 civilian and military personnel who carry out the unit's missions. Their efforts deserve our recognition and thanks. For that reason, I urge all Members to support this resolution.

Madam Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. GRAVES) who introduced this resolution.

Mr. GRAVES. Madam Speaker, last July I was humbled and honored to introduce House Resolution 699, expressing the appreciation of Congress for the service and sacrifice of the members of the 139th Airlift Wing, Missouri Air National Guard. Since World War II, the men and women of the 139th have been based at Rosecrans Memorial Airport in St. Joseph, Missouri, which is in my district.

First, I want to thank Chairman SKELTON and Ranking Member MCKEON for allowing this important resolution to come to the floor today. And further, I want to thank my colleagues who joined me in cosponsoring this resolution and helping move forward such an important tribute. I would also like to recognize the 139th Airlift Wing's commanders—at least those whom I have been able to work with—General Steven McCamy, Colonel Davenport, General Stephen Cotter, and, most recently, the new commander, Colonel Mike McEnulty. Colonel McEnulty has been a dynamic leader in working to continue and expand the role of the Missouri Air National Guard, and he is an invaluable resource to my office, our military, and, obviously, the St. Joseph community.

The 139th Airlift Wing, initially designated as the 180th Bombardment Squadron, has been serving our Nation proudly since 1946, which makes it one of the first federally recognized Air National Guard units in the Nation. They have deployed, and it has already been pointed out, they have deployed and supported the Korean War, Operation Desert Storm, military operations

alongside NATO forces as part of Operation Joint Forge in Europe, and Operation Enduring Freedom in Afghanistan. And the members of the 139th Airlift Wing have also assisted with humanitarian efforts in response to the great flood of 1993, Hurricane Katrina, severe storms that struck northwest Missouri in 2007, and most recently in response to the devastating earthquake in Haiti.

In 1984, the 139th Airlift Wing became home to the Advanced Airlift Tactics Training Center, which some have already pointed out today. The Advanced Airlift Tactics Training Center increases the warfighting effectiveness and the survivability of mobility forces in a combat environment and is utilized by our military and NATO forces from around the world. It is used by Reserve units and active duty units.

It's always interesting, whenever I have the opportunity to travel abroad, whether it's to Afghanistan or to Iraq, a lot of times Members of Congress would travel with C–17 crews or C–130 crews, and one of the things I always ask them is if they've been through the school at St. Joe, and 80 percent of the time they say, yes, they have. They've been to the Advanced Airlift Tactics Training Center, which has taught them survivability in those areas.

Lastly, I want to express my sincere gratitude to the nearly 2,500 civilian and military personnel from northwest Missouri and northeast Kansas which serve selflessly in the 139th Airlift Wing. I commend their exemplary service and sacrifice and that of their families and that of all other members of the Armed Forces who have served, who are currently serving and are supporting the United States military contingency operations at home and abroad.

Madam Speaker, please join me in thanking the men and women of the 139th Airlift Wing by supporting this important resolution.

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

Mr. MARSHALL. Madam Speaker, I certainly hope that the House will support House Resolution 699.

I just want to take this opportunity, on behalf of all members of the Armed Services Committee and all Members of the Congress, to thank the men and women of our National Guard, whatever branch, for the service that you provide this country and particularly the service that you are providing this country in our contingency operations. It's a strain on you. It's a strain on your families, and we're grateful. The Nation owes you. We appreciate your service.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. MARSHALL) that the House suspend the rules and agree to the resolution, H. Res. 699, 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. MARSHALL. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECOGNIZING MILITARY WORKING DOG PROGRAM

Mr. MARSHALL. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 812) recognizing the significant contributions of the Military Working Dog (MWD) Program to the United States Armed Forces, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 812

Whereas the Military Working Dog Program, or K–9 Corps, was developed in 1942, shortly after the United States entered World War II;

Whereas all four branches of the United States Armed Forces as well as other government agencies, including the Secret Service, Central Intelligence Agency, and Transportation Security Administration, use Military Working Dogs in service to the country;

Whereas Military Working Dogs are trained in explosive detection, narcotic detection, sentry, patrol, tracking, and other specific areas;

Whereas Military Working Dogs, through their training, have prevented injuries and saved the lives of thousands of United States citizens;

Whereas more than 19,000 Military Working Dogs were acquired by the United States Armed Forces during World War II and of those 19,000, a little more than 10,000 Military Working Dogs were utilized in the war effort;

Whereas more than 1,500 Military Working Dogs were employed during the Korean War and 4,500 in the Vietnam War;

Whereas, since September 11, 2001, Military Working Dogs have served in Iraq and Afghanistan and have been employed in detection work as part of homeland security and defense efforts;

Whereas today approximately 2,000 Military Working Dogs serve at nearly 170 United States military bases worldwide, including bases in 40 States and 3 United States territories;

Whereas retired Military Working Dogs are recognized for their lifetime of service in the United State Armed Forces; and

Whereas charitable organizations and community groups are recognized for their work in coordination with the Department of Defense to help bring Military Working Dogs stationed overseas home to the United States for adoption when their active duty days are over and provide support to active K9 military teams worldwide: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the significant contributions of the Military Working Dog Program to the United States Armed Forces;

(2) honors active and retired Military Working Dogs for their loyal service and dedication to protecting the men and women of the United States Armed Forces; and

(3) supports the adoption and care of these quality animals after their service is over.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. MARSHALL) and the gentleman from North Carolina (Mr. JONES) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. MARSHALL. I ask that all Members 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 Georgia?

There was no objection.

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

I rise today in support of House Resolution 812, recognizing the significant contributions of the Military Working Dog Program to the United States Armed Forces. I would like to thank my colleague from New Jersey (Mr. LANCE) for bringing this measure before the House.

Military working dogs contribute essential services to our Armed Forces through their capacity to detect explosives, illegal narcotics, and unwarranted persons beyond the capacity of any human patrol. They offer an invaluable ability for tracking missing people as well as fleeing suspects. Their support with sentry is crucial for the protection of our soldiers and civilians, and they are vital in so many different roles. Our military would not be as effective without them.

Military working dogs serve the four branches of the military, the Secret Service, the Central Intelligence Agency, and the Transportation Security Administration. Their service has developed and expanded since their implementation in 1942 during World War II and has since played important roles overseas in Korea, Vietnam, Iraq, and Afghanistan.

□ 1530

The Military Working Dog Program has increased its role in safeguarding our homeland. Since September 11, 2001, our expanded homeland and defense efforts would not be as effective if it were not for the expanded effort of the Military Working Dog Program. Thousands of dogs serve every year both in the United States and around the world, and I am glad to be here today in honor of their service.

I reserve the balance of my time.

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

Madam Speaker, I rise in support of House Resolution 812, which recognizes the significant contribution of the Military Working Dog Program to the United States Armed Forces. Dogs have long been known as man's best friend. They are brave, loyal, and trustworthy. It is not a coincidence that these are the same traits so valued by the United States military services. It is these qualities that have made our Armed Forces unsurpassed. It is no wonder that the natural bond between man and dogs and these shared

characteristics have made military working dogs vital to the success of our Armed Forces since the K–9 Corps was established during World War II.

Prior to the Second World War, the only dogs employed by the military were sled dogs used by the Army in Alaska. War dogs, as they were called in World War II, were trained to be sentry dogs, scouts or patrol dogs, messenger dogs, and mine-detection dogs. Today, military working dogs provide critical services in explosives and narcotics detection, sentry, patrol, and tracking, not only to the military services but to the Secret Service, Central Intelligence Agency, and the Transportation Security Administration.

Currently there are over 2,000 military working dogs serving at military bases throughout the world. Over 250 are serving in Iraq and Afghanistan alongside our troops fighting to rid the word of tyranny and terrorism. These dogs are credited with saving countless American and coalition lives by their actions and are recognized as a true force multiplier and enabler.

Sadly, military working dogs experience the same hardships and horrors of combat as the men and women they work to protect, including paying the ultimate price with their lives. Since the beginning of the program, hundreds of dogs have been killed in action, 281 in the Vietnam War alone.

On a brighter note, Madam Speaker, today's military working dogs are retired after their lifetime of military service. With the help of the countless charitable and community agencies working with the Department of Defense, these dogs are placed for adoption after their active duty service is over. They bring joy to their adoptive families and serve as ambassadors for the Military Working Dog Program.

Madam Speaker, I would like to thank the gentleman from New Jersey for introducing this resolution to recognize the extraordinary military working dogs. I join him and all of my colleagues to honor these incredible dogs and their military handlers and to support adoption of military working dogs who have served this Nation so well. I therefore strongly urge all Members to support this resolution.

Madam Speaker, I yield 5 minutes to the gentleman who introduced this legislation, the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Madam Speaker, I thank the gentleman from North Carolina and the gentleman from Georgia.

Madam Speaker, I rise today as the proud sponsor of House Resolution 812, legislation to honor and recognize the significant contributions made by military working dogs to the United States military and to our Nation.

Dogs have been used by people to help protect themselves and their property since ancient times. Trained dogs have been used by most of the world's military forces since the first military units were organized. From these ancient beginnings, the U.S. Armed Forces adopted the Military Working Dog Program, called ''the K–9 Corps,'' shortly after the attack on Pearl Harbor, when dog owners across the Nation donated their noble pets to assist soldiers and sailors in the World War II effort.

Since that time, military working dog training has been continually refined to produce a highly sophisticated and versatile extension of the warrior's own senses. Military working dogs are trained in explosives detection, narcotics detection, sentry, patrol, tracking, and other specific areas. Even the most complex machines remain unable to duplicate the operational effectiveness of properly trained working dogs.

The branches of the United States Armed Forces as well as several other governmental agencies incorporate military working dogs into their operations, including, as has been mentioned, the Secret Service, the Central Intelligence Agency, and the Transportation Security Administration.

The United States military utilized more than 10,000 dogs in World War II. More than 1,500 military working dogs were employed during the Korean War, and 4,500 in the Vietnam War. Since September 11, military working dogs have served not only in Iraq and Afghanistan but also in detection work as part of homeland security and defense efforts. Approximately 2,000 military working dogs currently serve at nearly 170 U.S. military bases worldwide, including bases in 40 U.S. States and three U.S. territories. Over the past six decades, these dogs have helped prevent injuries and have saved the lives of thousands of Americans.

This resolution to honor these brave canines was inspired by a military working dog that was adopted by a family in Fleming, New Jersey, in my congressional district. Military Working Dog Ben C020 was retired from the Air Force last July after nearly 11 years of loyal service in the military. Ben, trained as a narcotics and patrol dog, served with a security unit at Bolling Air Force Base. As the premium narcotics dog in the unit, he was selected to deploy to Texas to assist the United States Customs and Border Protection agency, where he detected and prevented 300 pounds of marijuana from being smuggled into the U.S. in one month. Ben also worked in law enforcement, foot patrols, and resource security to keep employees, residents, and visitors at the Air Force base safe. In September, the Air Force awarded Ben with a medal of commendation to recognize the major achievements that he has achieved throughout his career.

House Resolution 812 also recognizes community organizations for their efforts to assist in the adoption process of retired military working dogs. J.T. Gabriel, a constituent of mine and Ben's new owner, is the chief executive officer and founder of K–9 Soldiers, a nonprofit organization that supports military K–9 troops worldwide. In addition to providing support for active military working dog units, K–9 Soldiers and many other community groups work closely with the adoption program at Lackland Air Force Base in Texas to help secure a home for military working dogs once they retire. Thanks to their efforts, hundreds of retired military working dogs have been able to find good homes and continue to lead happy and healthy lives after their years of loyal service to the Nation.

I thank the chairman and the ranking member for allowing us to bring this resolution to the floor, and the Members who are cosponsors of House Resolution 812. I encourage all of my colleagues to support this resolution and honor the thousands of active and retired military working dogs that have helped save lives and protected the members of our Armed Forces in harm's way.

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

I simply observe that our very effective military dogs cannot function at all without their handlers, and so I would just like to recognize and thank those who work with these dogs and make them all they can be. The dogs are very important to security efforts by our Armed Forces, and without their handlers and the general support they receive from others, they would not be effective at all.

I reserve the balance of my time.

Mr. JONES. Madam Speaker, I would like to yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today in support of House Resolution 812 recognizing the significant contributions of the Military Working Dog Program to the United States Armed Forces, and I thank my good friend from New Jersey for bringing forth this resolution.

As my colleagues have stated, military working dogs have served side by side with the brave men and women protecting our Nation. They serve as loyal companions in combat and beyond to their handlers. Many of these working dogs serve on the front lines as bomb sniffing dogs, detecting explosives and other threats, but also working narcotics detection, patrols, and even as sentries, alerting our brave soldiers when they are in danger.

Back in 2005, then Air Force Tech Sergeant Jamie Dana and her military working dog Rex were traveling in a convoy in Kirkuk, Iraq, after searching several villages for explosives. Rex, a 5-year old, 80-pound German shepherd, had been working with Dana for more than 3 years. Returning to base that evening, her Humvee was hit by an improvised explosive device. Dana was the most badly injured in the convoy, and was rushed to the operating room by helicopter, continuously asking if Rex had survived the blast.

''My heart was broken,'' Dana said. ''He was my best friend. Rex and I were

together 24/7, and my life was in his hands, just as his life was in mine. I thought he was dead.''

Dana then went through several surgeries and defied the odds, continuing to improve and get better. During her recovery at Walter Reed, she awoke one day to find a big surprise: Rex was there, alive, with little more than a slight burn on his nose.

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

Mr. JONES. Madam Speaker, I yield an additional 2½ minutes to the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Dana's best friend, Rex, was alive. However, the reunion was short-lived as Rex was scheduled to be brought back into service.

Growing up in Smethport, Pennsylvania, in Pennsylvania's Fifth Congressional District, Dana has always loved animals, especially dogs and horses. During her recovery, she repeatedly asked to adopt Rex. However, she was not allowed to keep him until Congress, recognizing the importance of military working dogs, passed a measure that would allowing certain exceptions for wounded veterans. Tech Sergeant Dana and others put their lives on the line every day in defense of this country, but so do their dogs. Their activities have truly touched the lives of so many, and I urge my colleagues to join me in supporting this resolution honoring military working dogs.

Mr. JONES. Madam Speaker, I would think it is appropriate that I might say to everyone who has spoken today, thank you for your comments, but also I would like to share that the House has passed legislation that would allow a war dog memorial to be built at no expense to the taxpayer, either the building of the memorial or the upkeep. With that I would like to say to the gentleman from Georgia, it is a pleasure to work with you. You are one of the gentlemen who I have a greatest respect for in this House for your integrity.

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

Mr. MARSHALL. Madam Speaker, I appreciate the gentleman from North Carolina saying that since he is widely viewed in the House as being nothing but integrity.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. MARSHALL) that the House suspend the rules and agree to the resolution, H. Res. 812, 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 of the resolution was amended so as to read: ''Recognizing the significant contributions of the Military Working Dog Program to the United States Armed Forces.''.

A motion to reconsider was laid on the table.

□ 1545

RECOGNIZING LOUISIANA STATE UNIVERSITY

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1072) recognizing Louisiana State University for 150 years of service and excellence in higher education, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1072

Whereas classes began at Louisiana State University, formerly named Seminary of Learning of the State of Louisiana, on January 2, 1860;

Whereas Louisiana State University is the flagship institution of the State of Louisiana, and is a land-grant, sea-grant, and space-grant institution;

Whereas Louisiana State University developed seven institutions of higher learning in the State of Louisiana so that educational opportunities would be available to the far reaches of the state;

Whereas Louisiana State University has instituted the ''Pelican Promise'' program providing financial assistance to the neediest of students so that they may receive the benefits of higher education;

Whereas Louisiana State University is designated a Research University by the Carnegie Foundation for the Advancement of Teaching and performs research for the benefit of the United States and the State of Louisiana;

Whereas Louisiana State University has 650 endowed chairs and professorships held by distinguished faculty in the comprehensive disciplines that support the economy, culture, policy, and scientific prosperity of the State;

Whereas Louisiana State University offers degrees in 72 baccalaureate programs, 78 master's programs, and 53 doctoral programs and has awarded more than 100,000 degrees since the institution's inception;

Whereas Louisiana State University administers 11 intercollegiate women's sports teams and 9 men's sports teams, and the ''Tigers'' have won 46 national championships, including 25 championships won by the women's track and field team;

Whereas Louisiana State University has answered the call to service whether it be officers for military service or operating the Nation's largest field hospital in the aftermath of Hurricane Katrina; and

Whereas Louisiana State University has provided a quality education, basic and applicable research, service to its State and Nation, and brought distinction upon the State of Louisiana: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Louisiana State University for over 150 years of service and excellence in higher education, and

(2) congratulates Louisiana State University on the occasion of its 150th anniversary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. COURTNEY. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1072 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise today in support of H. Res. 1072, which celebrates Louisiana State University for 150 years of service and leadership in higher education.

Founded in 1860 as a seminary school and a military academy, the university has grown to educate more than 26,000 students annually, including more than 1,400 international students and over 4,000 graduate students. The students and faculty, past and present, guide LSU to its current standing as the flagship public university of the State of Louisiana.

LSU's dedication in the classroom is matched by its athletic excellence. The university fields 20 Division 1A sports teams and has earned over 46 national championships, including a recent 2009 national men's baseball championship.

LSU also demonstrates leadership and serves the communities of Louisiana. This was best exemplified by its role in the aftermath of Hurricane Katrina. In addition to accepting 2,300 displaced students from universities throughout the region, 3,000 LSU students volunteered to help injured Hurricane Katrina evacuees. LSU's support of the hardest hit communities in the Gulf Coast is critical to recovery, and I thank the university and its students for their service.

This year, Louisiana State University will celebrate 150 years of providing excellent education and cultivating young men and women who become local, State, and national leaders.

Madam Speaker, once again, I express my support for Louisiana State University and thank Representative CASSIDY for bringing this bill forward.

I urge my colleagues to join me in support of this resolution.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of House Resolution 1072, recognizing Louisiana State University for 150 years of service and excellence in higher education.

Louisiana State University and Agricultural and Mechanical College had its origin in certain land grants made by the United States Government in 1806, 1811 and 1827 for use as a seminary of learning. In 1853, the Louisiana General Assembly established the Seminary of Learning of the State of Louisiana near Pineville, Louisiana. The institution opened on January 2, 1860. In 1870, the name of the institution was changed to Louisiana State University.

Today, LSU holds a prominent position in American higher education. One

of only 25 universities nationwide designated as both a land grant and a sea grant institution, it also holds the Carnegie Foundation's Doctoral Research-Extensive designation. LSU offers degrees in 71 baccalaureate programs, 78 master's programs and 53 doctoral programs, and has awarded more than 100,000 degrees since 1860. The university is a recognized research institution with over 800 sponsored research projects.

LSU not only boasts an excellent academic program; it is a powerhouse in athletics as well. It administers 11 intercollegiate women's sports teams and nine men's sports teams. The Tigers have won 43 national championships, including 25 championships won by the women's track and field team.

LSU also holds a history of civic service through its 150 years of existence. Most recently, LSU operated the Nation's largest field hospital in the aftermath of Hurricane Katrina. In addition, the university accepted an additional 2,300 students from the greater New Orleans area who were displaced after that disaster.

Louisiana State University is ranked 128th in the national universities category by the 2010 U.S. News & World Report ranking of U.S. colleges, 64th among public universities. Additionally U.S. News & World Report ranked LSU as the 16th most popular university in the Nation.

I extend my congratulations to Louisiana State University on its 150th anniversary and wish all its faculty, staff, students, and alumni continued success in their endeavors.

Madam Speaker, it is my honor to yield such time as he may consume to my good friend from Louisiana (Mr. CAO).

Mr. CAO. Madam Speaker, today, I rise in honor of Louisiana State University, which is celebrating 150 years of academic achievement and service to the State of Louisiana. This celebration marks the culmination of many goals for LSU as they reach the end of their second major capital campaign, the Forever LSU Campaign, and their academic blueprint for the future, the Flagship Agenda.

LSU has had the longstanding goal of being designated as a tier 1 university by U.S. News & World Report, and for the past 2 years LSU has achieved this ranking. For the past 25 years, however, LSU has held the highest Carnegie Foundation classification, the designation of a ''very high research activity'' university.

LSU is the State of Louisiana's flagship institution; and as the international leader in research, LSU is one of only 30 universities to have the great distinction of being designated as a land, sea and space-grant institution. Most recently, LSU won $10 million in grants and contracts related to the coast, including aquaculture, erosion, subsidence, storm modeling, and social resiliency to disasters. Further, LSU is deeply rooted in tradition and boasts a large percentage of students from the greater New Orleans area, which I represent.

Most notably and nobly for citizens of Louisiana, after Hurricane Katrina, LSU opened its doors to enroll an additional 2,700 students from the New Orleans area, and the LSU community housed thousands more. Overnight, LSU's Carl Maddox Fieldhouse became a special-needs shelter, and LSU's Pete Maravich Assembly Center became the largest acute care field hospital in American history. With 800 beds, 1,700 medical personnel from across the Nation, and thousands more volunteers working around the clock to serve and to care for all those affected by the storm, their motto became ''just make it happen.'' It was the epitome of goodness.

I am proud to represent approximately 8,000 LSU alumni living in Orleans and Jefferson Parishes. On behalf of the citizens of Orleans and Jefferson Parishes, I want to thank the LSU community for all they did for us during and after Hurricanes Katrina and Rita. The LSU community is proud of their traditions; and, today, they are and should be proud of their commitments to academic excellence and community service.

I want to congratulate my good friend, BILL CASSIDY, for bringing this important resolution to the floor. The Sixth Congressional District cannot find a more dedicated, more honorable Representative than BILL CASSIDY.

I strongly encourage my colleagues to vote for this resolution. Congratulations to the LSU community on its 150th anniversary.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1072, 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. COURTNEY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

CONGRATULATING PENN STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON

Mr. COURTNEY. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1112) congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (THON) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1112

Whereas the Penn State IFC/Panhellenic Dance Marathon, known as THON, is the largest student-run philanthropy in the world, with 700 dancers, more than 300 supporting organizations, and more than 15,000 volunteers involved in the annual event;

Whereas student volunteers at the Pennsylvania State University annually collect money and dance for 46 hours straight at the Bryce Jordan Center for THON, bringing energy and excitement to campus for a mission to conquer cancer, and bringing awareness to countless thousands more;

Whereas all THON activities support the mission of the Four Diamonds Fund at Penn State Hershey Children's Hospital, which provides financial and emotional support to pediatric cancer patients and their families and also funds cancer research;

Whereas each year, THON is the single largest donor to the Four Diamonds Fund at Penn State Hershey Children's Hospital, having raised nearly $68.9 million since 1977, when the two organizations first became affiliated;

Whereas in 2010, THON set a new fundraising record of over $7.83 million, even after the previous record of $7.5 million was set in 2009;

Whereas THON support has helped more than 2,000 families through the Four Diamonds Fund, is currently helping to build a new Pediatric Cancer Pavilion at Penn State Hershey Children's Hospital, and has helped suppport pediatric cancer research that has caused some pediatric cancer survival rates to increase to nearly 90 percent; and

Whereas THON has inspired similar events and organizations across the Nation, ranging from high schools to colleges and beyond, and continues to encourage students across the country to volunteer and stay involved in great charitable causes in their community: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Pennsylvania State University IFC/Panhellenic Dance Marathon (THON) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; and

(2) commends the Pennsylvania State University students, volunteers and supporting organizations for their hard work putting together another recordbreaking THON.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. COURTNEY. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1112 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise today in support of House Resolution 1112, which recognizes Pennsylvania State University's Dance Marathon fund-raiser for its enthusiastic continued support of the Four Diamonds Fund at Penn State Hershey Children's Hospital. This is an event which was first started in 1972. It raised $2,000 in that year, and since then has continued on an annual basis and has raised a staggering amount of money for an incredibly good cause, the Children's Hospital at the Hershey Medical Center.

I know the gentleman from Pennsylvania (Mr. THOMPSON), the sponsor of this resolution, is far more familiar with the history of this extraordinary effort than I am, and I would just as soon defer to him to talk about this resolution.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today, proudly, in support of House Resolution 1112, congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon—or THON as it's referred to at Penn State—on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital.

Pennsylvania State University, or Penn State, is a public research university founded in 1855 as the Farmers' High School of Pennsylvania. The school was renamed Pennsylvania State College in 1875, and in 1889 it became Pennsylvania State University. Today, Penn State offers 160 different majors, and over 43,000 students are enrolled at the university's main campus in State College, Pennsylvania, just miles from my home town.

Penn State has a strong reputation for its academic, athletic, and civic excellence. It is known as one of ''the public ivies'' and also is known for its community involvement. The Penn State Hershey Children's Hospital at the Penn State Medical Center in Hershey, Pennsylvania, is the only Children's Hospital located in south central Pennsylvania and the home of the region's only level 1 NICU. The hospital is a leader in several specialties and has ranked higher than 90 percent in patient satisfaction.

The Four Diamond Fund for the Penn State Hershey Children's Hospital was established to conquer childhood cancer by assisting children and their families through treatment. The fund has helped more than 2,000 families by offsetting the cost of treatment and additional expenses incurred during treatment.

The Penn State Interfraternity Council and Panhellenic organize a yearly dance marathon known as THON to raise funds for the Four Diamond Fund. The first THON took place in 1973 and has raised more than $68.9 million since then. THON now has 15,000 student volunteers and is part of a year-long effort to raise funds and awareness. This year's THON raised over $7.8 million just last weekend for pediatric cancer patients. THON is the largest student-run philanthropy in the world and helps to make a difference in the lives of children with pediatric cancer.

□ 1600

As a proud Penn State alumnus and Member representing them here in Washington, I want to congratulate Penn State—the dancers, the students, the individuals who make the donations, and the organizations involved in the THON event. I want to recognize them for their commitment to helping others. Their activities have truly touched the lives of so many.

I urge my colleagues to join me in supporting this resolution.

Mr. SHUSTER. Madam Speaker, a little over a week ago, I spent a very memorable and moving afternoon watching Penn State students taking part in THON, the annual Penn State IFC/Panhellenic Dance Marathon. THON at Penn State is no small event. It remains the largest student-run philanthropy in the world which since 1977 has raised over $68 million for the Four Diamonds Fund at Penn State Children's Hospital to fight childhood cancer.

THON involves over 15,000 student volunteers from Penn State's University Park campus and its 19 commonwealth campuses. Over 700 dancers take part in THON's marquee event: a 46 hour dance marathon at the Bryce Jordan Center. Thousands of other students join in as moralers, family and public relations, entertainment, donor relations, finance, communication, hospitality, logistics, technology, rules and regulations, and 'OPP'erations team members. These students' year-long efforts culminate in THON weekend—truly an amazing and uplifting sight to see.

All of the student dancers, volunteers and sponsors who participated in this year's THON deserve recognition from Congress and the thanks of Americans everywhere for their work to help end the scourge of childhood cancer. Their hard work resulted in raising $7.83 million this year, breaking last year's record of $7.5 million.

I am proud to say that my own daughter was among the hundreds of students who took part in THON 2010. Ali served on the Morale Committee ''Jule Runnings'' and helped lift the spirits of exhausted dancers, massage tired feet, and lead the hourly linedance to keep everyone moving to stay motivated for their cause.

Penn State students are joined by hundreds of Four Diamonds Families from Penn State Children's Hospital who look forward to THON all year round. Four Diamond Families often develop lifetime friendships with the Fraternities, Sororities, and organizations that ''adopt'' them and spend time with them throughout the year. At THON weekend you will find the kids running throughout the event, participating in talent shows, playing games with the dancers, getting piggyback rides and even starting water-pistol fights with unsuspecting volunteers. The culmination of the weekend is Family Hour—when families share the struggle in the fight against childhood cancer with everyone in attendance. This was a deeply emotionally moving hour that brought the struggle of childhood cancer into a personal light. Some of the stories had happy endings, some did not. But each story was an inspiration to keep fighting for the cure for childhood cancers. These children and families are why Penn State dances.

THON is a life changing event for anyone who attends or takes part in the event. And while Penn State students are hoping to change the lives of children affected by childhood cancer, more often than not it's the students whose lives are changed by participating in THON. Love truly does ''Belong Here.'' We Are Penn State—For the Kids.

Mr. THOMPSON of Pennsylvania. I yield back the balance of my time.

Mr. COURTNEY. Madam Speaker, again, I urge strong support of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1112.

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.

SUPPORTING NATIONAL SCHOOL LUNCH PROGRAM

Mr. COURTNEY. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 362) expressing the support of the House of Representatives for the goals and ideals of the National School Lunch Program, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 362

Whereas the National School Lunch Program is declared to be the policy of the United States Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs;

Whereas Federal regulations further state that participating schools shall ensure that children gain a full understanding of the relationship between proper eating and good health;

Whereas local educational agencies are responsible for collaborating with the school community to implement comprehensive nutrition and wellness policies in schools that participate in the National School Lunch Program;

Whereas all of the Nation's more than 49,000,000 pupils deserve access to high-quality, safe, nutritious meals available in the school setting, recognizing the link between adequate nourishment and educational performance;

Whereas children that experience hunger have been shown to be more likely to have

lower math scores, decreased attentiveness, increased likelihood of repeating a grade, increased absences and tardiness, and more referrals to special education services;

Whereas in 2009, the National School Lunch Program in the United States provided over 31,000,000 meals to school children daily, and must comply with rigorous State and Federal requirements, provide adequate food preparation and dining facilities, and cover costs to provide reimbursable meals including food, energy, transportation, labor, and other costs;

Whereas the National School Lunch Program must provide nutritious meals that are consistent with the goals of the most recent Dietary Guidelines for Americans;

Whereas the Institute of Medicine of the National Academies of Sciences recommends increased amounts of fruits, vegetables, and whole grains in the National School Lunch Program, and that measures to improve the quality of meals may increase program costs and the need for administrative support;

Whereas school food service must operate on a nonprofit basis, and it is expected that the Federal subsidy for a free meal will, on average, cover the costs of producing a reimbursable meal;

Whereas the U.S. Department of Agriculture identified that the full cost to produce a reimbursable lunch generally exceeds the Federal reimbursement for a free lunch; and

Whereas revenue deficits in school meal programs must be offset by generating additional revenue from other sources that may otherwise support classroom instruction: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of the National School Lunch Program; and

(2) recognizes that America's pupils deserve access to high-quality, safe, nutritious meals available in the school setting.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. COURTNEY. Madam Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on House Resolution 362 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise today in support of House Resolution 362, which expresses the House of Representatives' support of the goals and ideals of the National School Lunch Program.

When it comes to education in our country, we traditionally focus on reading, writing, and extracurricular activities. We want to ensure that our students have access to well-trained teachers and to the tools they need to achieve academic success. However, we often forget that an essential tool to any child's academic success can also be found outside the classroom—in the school cafeteria.

Children who are hungry are at a disadvantage to their peers. Studies have shown that children who experience hunger throughout the day have higher likelihoods of receiving lower math scores, of having decreased attentiveness, increased absences and tardiness, and a higher chance of having to repeat a grade. Children who are not well nourished are also more likely to need referrals to special education services.

We know that nearly one-third of our Nation's children today are overweight and obese. Obesity rates have soared over the past four decades among children of all age groups, increasing nearly five-fold among those who are ages 6 through 11. Teaching children to have a healthy relationship with food and nutrition has never been more important.

First Lady Michelle Obama has initiated an exciting new program to help solve this challenge. The ''Let's Move!'' campaign directs attention to four areas: helping parents make healthy family choices; serving healthier food in schools; improving access to healthy, affordable food in communities; and increasing physical activity.

The National School Lunch Program can have a central role in the First Lady's efforts to help children develop healthy behaviors and to achieve their highest potential. For over 60 years, the National School Lunch Program has served as a safeguard for the health and nutritional well-being of our Nation's children. Every day, over 31 million meals are served to schoolchildren across the country.

Madam Speaker, I would also like to take note of the changes we have seen in school food menus over the years. In cafeterias in all of our communities, you might find menus which offer salad bars with fresh fruit, whole wheat pizza, or freshly made chicken wraps. The days of ''mystery meat'' are past. Today, students want to eat in the school cafeteria because the food tastes good and there are many food options.

However, we know from the most recent report from the Institute of Medicine that healthy foods cost more. The U.S. Department of Agriculture has reported that the full cost to produce a reimbursable lunch generally exceeds that of the Federal reimbursement for free lunches. To help address this concern, the President has requested an additional $1 billion for child nutrition programs to help improve nutrition quality and to make these programs accessible to more children. These funds will go a long way in school cafeterias across the country.

I look forward to working with the President and with my colleagues, particularly with those on the House Education and Labor Committee, on this initiative.

Lastly, Madam Speaker, this week, each of us may be receiving visits from our local school food service directors. I want to acknowledge the fine work of the school food service workers who help to educate our children on nutrition and who work hard every day to serve them safe and healthy meals. They are the front line in these efforts, and they deserve our thanks.

Madam Speaker, I would like to thank Representative WATSON of California for introducing this important resolution, which highlights the need for this program, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 362, expressing the support of the House of Representatives for the goals and ideals of the National School Lunch Program.

The National School Lunch Program was first established by the National School Lunch Act in 1946. The program enables students to purchase school lunches at a free or reduced price, focusing on students whose families cannot afford the full price of school meals. The program also promotes a basic understanding of nutrition and healthful eating.

In fiscal year 2009, over 31.2 million children participated in the School Lunch Program every day; 19.4 million of those children received their meals for free or at a reduced rate. Participation has steadily grown over the years since the program was first established over 60 years ago. The School Lunch Program is administered in approximately 101,000 schools and institutions by the U.S. Department of Agriculture's Food and Nutrition Service. At the State level, it is administered by State education agencies through agreements with local school food authorities.

Public or nonprofit private schools, serving grades K through 12, and public or nonprofit private residential child care institutions may participate in the School Lunch Program. School districts and independent schools that participate in the Lunch Program receive cash subsidies from the U.S. Department of Agriculture for each meal or snack they serve and USDA foods or commodities. In return, they must serve lunches and snacks that meet Federal requirements, and they must offer free or reduced-price lunches to eligible children.

The National School Lunch Program helps to provide meals during the school day to students who may not otherwise be able to afford them. I stand in support of this resolution expressing support for the goals and the ideals of the National School Lunch Program and for the children that it serves. I ask for my colleagues' support.

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

Mr. COURTNEY. Mr. Speaker, in closing, again, I urge strong support for the resolution. It is a timely measure because, as the gentleman from Pennsylvania knows, today the Education and Labor Committee is holding

a hearing on reauthorizing the Child Nutrition Act. The School Lunch Program is really at the center of that effort. Again, I urge support of the resolution.

Ms. WATSON. Mr. Speaker, the National School Lunch Program, as established by the National School Lunch Act, has been serving our nation's children for more than 60 years. This program safeguards the health and well-being of children by providing balanced meals for free or at low cost. Just last year, the Program provided more than 31 million nutritious meals to children across the nation. My bill, House Resolution 362 recognizes the outstanding service of the National School Lunch Program.

Hunger is on the rise in the United States. A 2007 USDA report found that 12.4 million children live in households that are considered to be food insecure. In my state, California, the unemployment rate exceeds 12% and is on the rise. More families will be struggling to put nutritious meals on the table. The National School Lunch Program performs an exemplary service in providing for the children of these families. With H. Res. 362, Congress can send a strong message to schools showing our continued support and give local programs the initiative to improve and advance.

By providing school lunches, Congress plays a vital role in ensuring that our nation's children are healthy, which is more important now than ever. Both obesity and malnutrition are on the rise, increasing the rates of Type 2 diabetes and heart problems among children. The current generation of children and their parents are accustomed to processed, fast food; a fast stop for a hamburger and fries or a quick fix meal from a box. Though these meals may be cheap and easy, they often lack the proper nutrition a developing child requires.

Over the past few years, schools have made a conscious effort to ensure that children receive balanced and nutritious meals. For many children, their school lunch may be the most nutritious meal they will eat each day. Simply by including fresh fruits and vegetables in their diets daily encourages children to make healthy choices. The Program is a tool that can help educate children about eating well even when they are at home.

Providing meals in school also increases a child's ability to learn effectively. Children who experience hunger in school have been shown to have lower math scores, decreased attentiveness, increased likelihood of repeating a grade, increased absences and tardiness, and more referrals to special education services. Simply by providing nutritious meals, Congress can improve student performance in school.

Supporting the National School Lunch Program brings to life its mission "to safeguard the health and well being of our nation's children." This is one crucial way in which we can protect the health of children nationwide. I hope you will all join me in supporting the National School Lunch Program, H. Res. 362.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H. Res. 362, a resolution expressing the support of the House of Representatives for the goals and ideals of the National School Lunch Program. The National School Lunch Program is a federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. It provides nutritionally balanced, low-cost or free lunches to children each school day. I support this resolution because it recognizes the fundamental role the National School Lunch Program plays in making sure that every child, regardless of socioeconomic status, has the energy and nutrients he or she needs to learn and grow as scholars.

The National School Lunch Program has been providing for children in our public schools for over sixty years. It was established under the National School Lunch Act signed by President Harry Truman in 1946. In 2008, the National School Lunch Program provided meals for more than 30 million American children. Parents who work two and three jobs just to put a roof over their children's heads do not have to worry that their children will not have lunch when they get to school every day. In 1998, Congress expanded this program to include reimbursement for snacks that children receive at afterschool programs. Children receive nutritious snacks so they have the energy and ability to focus during valuable tutoring sessions and enriching extra-curricular lessons.

Mr. Speaker, during these difficult economic times, the National School Lunch Program is even more important than usual. In September 2009, the Center on Budget and Policy Priorities released an analysis of how the recession had affected working families thus far. According to that report, the median household income declined 3.6 percent in 2008 after adjusting for inflation, the largest single-year decline on record. The poverty rate rose to 13.2 percent, its highest level since 1997. The number of people in poverty hit 39.8 million, the highest level since 1960. While Congress works to turn this recession around by passing landmark legislation like the American Recovery and Reinvestment Act and the Jobs for Main Street Act, programs such as the National School Lunch Program give working parents the peace of mind that comes with knowing that their children are taken care of. If a parent loses his job and his family falls into poverty, he does not have to worry that his children will have nutritious lunches and snacks provided every day at school. That is one less thing for hard-working families to worry about in these tough times.

Mr. Speaker, I applaud the National School Lunch Program for its dedication feeding our most valuable population in this country—our children. Without nutritious food, low-income children would have extreme difficulties focusing in school and therefore would be at a great disadvantage academically. The National School Lunch Program does its part to ensure that all children have the energy they need to learn and succeed every day in school. I ask my fellow colleagues to join me in supporting H. Res. 362.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to applaud the actions of the House of Representatives in addressing the need for America's students to receive high-quality, safe, nutritious meals in school. I strongly support H. Res. 362 and urge my colleagues to support this important piece of legislation.

Many of our children depend on the National School Lunch Program for nutritious meals. In Fiscal Year 2007, more than 30.5 million children each day got their lunch through the National School Lunch Program. In my home state of Georgia, about 74 percent of public school students eat school lunch. In some counties, in the Fourth District of Georgia, up to 90 percent of students participate in the school lunch program. For many of the children in my District, school lunch fuels their day.

I applaud Representative WATSON for introducing this resolution. It recognizes the link between proper eating, goad health, and educational performance. We should do all we can to ensure that our children continue to have nutritious meal options available through the National School Lunch Program.

I join the chairman in urging my colleagues to support this important piece of legislation.

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

The SPEAKER pro tempore (Mr. WU). The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 362, 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. COURTNEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

READ ACROSS AMERICA DAY

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1111) designating March 2, 2010, as "Read Across America Day".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1111

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention that has been proven effective through scientifically valid research and providing additional resources for reading assistance; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to use March 2 to celebrate reading and the birth of Theodor Geisel, also known as Dr. Seuss: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(2) honors the 13th anniversary of Read Across America Day;

(3) encourages parents to read with their children for at least 30 minutes on Read Across America Day in honor of the commitment of the House of Representatives to building a Nation of readers; and

(4) encourages 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 Connecticut (Mr. COURTNEY) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. COURTNEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on House Resolution 1111 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1111, which recognizes March 2, 2010, as Read Across America Day and which encourages parents to read to their children in support of building a Nation of readers.

Read Across America Day was initiated in May 1998 by the National Education Association as a way to celebrate reading. The NEA provides support to parents and teachers to keep their children reading all year long through activities such as the Cat-A-Van. The Cat-A-Van travels across the country bringing the gift of reading to schoolchildren. The Cat-A-Van donates 20,000 books to children in need.

The NEA celebrates Read Across America Day on Dr. Seuss' birthday each year in honor of a man who contributed tremendously to children's literacy. Theodor Geisel, better known as ''Dr. Seuss'' by millions of children and parents around the world, began writing children's books in 1936, and has since inspired millions of children to embrace the joys of readings through such favorites as ''The Cat in the Hat,'' ''Green Eggs and Ham,'' and ''Oh, the Places You'll Go.''

We know from research that children who are exposed to reading before kindergarten become more successful readers. We also know that a child who fails at reading is more likely to drop out of school. Today, nearly 6 million adolescents are struggling readers, and more than 7,000 students drop out of high school every day. This is unacceptable. Engaging children and reading to them when they are young will encourage them to read and to achieve more as adolescents and as adults.

This data demonstrates the importance of literacy and the value of Read Across America. This critical literacy project is supported by a range of partners, including the District of Columbia's the Afterschool Alliance, ASPIRA Association, Incorporated, and First Book. The NEA, along with the Pearson Foundation, has donated $100,000 in funds and books to public school libraries across our country as 45 million children and adults are expected to participate in this year's 2010 program.

I want to particularly thank Representatives MARKEY and EHLERS for bringing this measure forward, and I encourage my colleagues to support this resolution.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 1111, designating March 2, 2010, as ''Read Across America Day.''

Once upon a time, when there were no televisions or computers, reading was a primary leisure activity. People would spend hours reading books and using their imaginations to travel to lands far away. Today, many people do not have the same passion to read. This is unfortunate because reading offers a productive approach to improving vocabulary and word power.

Indulging in reading on a daily basis helps keep adults and children abreast of the various styles of writing and new vocabulary. Children who start reading from an early age are observed to have good language skills and to grasp the variances in phonics much better. Research has shown that children and teenagers who love reading have comparatively higher IQs and that they are more creative and excel in school and college.

Reading is an activity that involves greater levels of concentration, and it adds to the conversational skills of the reader. It is an indulgence that enhances the knowledge acquired consistently. The habit of reading also helps readers to decipher new words and phrases that they come across in everyday conversations. It helps us to stay in touch with contemporary writers as well as those from yesteryear.

Theodor Geisel, more famously known as ''Dr. Seuss,'' is the most beloved children's book author of all time. His titles include ''Green Eggs and Ham,'' ''Fox in Socks,'' and ''The Cat in the Hat.'' His use of rhymes makes his books an effective tool for teaching young children the basic tools they need to be successful and to develop a lifelong love of reading. Celebrating both Dr. Seuss and reading sends a clear message to our children that reading is both fun and important.

I thank my colleague from Colorado (Ms. MARKEY) and my colleague from Michigan (Mr. EHLERS) for sponsoring this resolution, and I ask that all of my colleagues support its passage.

I reserve the balance of my time.

Mr. COURTNEY. Mr. Speaker, I yield such time as she may consume to the sponsor of this legislation, the gentlewoman from Colorado, Congresswoman BETSY MARKEY.

Ms. MARKEY of Colorado. Mr. Speaker, I rise today in support of a cat who is known worldwide for his red and white hat; in support of a fox who liked to wear socks, and his game-playing friend called Mr. Knox; in support of an elephant, Horton, who hears a Who, and a human, Mr. Brown, who proves he can moo; in support of those who hopped on pop, and the dad who yelled at them to stop; in support of those amusing sidekicks Thing One and Thing Two, and all of those folks with the last name of Who; in support of Marvin K. Mooney, who just wouldn't go, and those multiple colored fish we all know; in support of Cindy Lou Who and that mean, old Grinch, and the Lorax who speaks for the trees in a pinch.

These characters taught our children to read. In the field of children's literacy, Dr. Seuss took the lead.

Through the power of green eggs and ham, our children exclaim, ''I can read, Sam I am.''

Mr. Speaker, I come before the House today not to emulate Dr. Seuss but to honor his legacy with Read Across America Day. Today, March 2, would be Theodor Seuss Geisel's 106th birthday. This resolution honors his birth, and it promotes children's literacy by designating today as Read Across America Day.

I would like to thank my colleague, Congressman EHLERS, for his work with me on this resolution.

In schools across America today, millions of children will participate in Seussational reading events.

□ 1615

Reading skills are the keystone for future educational success, and it is critical that our children begin reading at a young age. I remember how my own children's eyes would light up with each book we read. My resolution encourages parents to read to their children for at least 30 minutes a day because, as Dr. Seuss himself said, ''The more that you read, the more things you will know; the more that you learn, the more places you will go.''

I have high hopes for this Nation's children and all the places that they will go. I urge all of my colleagues to vote ''yes'' on House Resolution 1111 and to celebrate Read Across America Day.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1111.

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

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

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 17 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. BALDWIN) at 6 o'clock and 31 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4247, PREVENTING HARMFUL RESTRAINT AND SECLUSION IN SCHOOLS ACT

Mr. CARDOZA, from the Committee on Rules, submitted a privileged report (Rept. No. 111–425) on the resolution (H. Res. 1126) providing for consideration of the bill (H.R. 4247) to prevent and reduce the use of physical restraint and seclusion in schools, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 1072, by the yeas and nays;

H.R. 3820, by the yeas and nays;

House Resolution 1097, de novo.

Remaining postponed questions will be taken later in the week.

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

RECOGNIZING LOUISIANA STATE UNIVERSITY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1072, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1072, as amended.

The vote was taken by electronic device, and there were—yeas 383, nays 0, not voting 48, as follows:

[Roll No. 75]

YEAS—383

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

NOT VOTING—48

Austria
Barrett (SC)
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Buyer
Camp
Campbell
Cassidy
Clarke
Cohen
Costello
Dahlkemper
Davis (AL)
Deal (GA)
Engel
Fallin
Garamendi
Gordon (TN)
Granger
Grayson
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hinojosa
Hoekstra
Inglis
Jackson (IL)
Jackson Lee (TX)
Marchant
McCaul
McMahon
Mollohan
Putnam
Rehberg
Reyes
Rodriguez
Rush
Schwartz
Smith (TX)
Stark
Sullivan
Tanner
Taylor
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1859

Messrs. CONAWAY and FRANK of Massachusetts changed their vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATURAL HAZARDS RISK REDUCTION ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3820, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WU) that the House suspend the rules and pass the bill, H.R. 3820, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 335, nays 50, not voting 46, as follows:

[Roll No. 76]

YEAS—335

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown-Waite, Ginny
Buchanan
Calvert
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Graves
Green, Al
Griffith
Guthrie
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jenkins
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Reichert
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schock
Schrader
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—50

Barton (TX)
Bishop (UT)
Broun (GA)
Burton (IN)
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Culberson
Duncan
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Goodlatte
Hastings (WA)
Hensarling
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirkpatrick (AZ)
Lamborn
Latta
Lummis
Manzullo
Mica
Miller (FL)
Miller (MI)
Neugebauer
Nunes
Owens
Paul
Pence
Petri
Platts
Poe (TX)
Rooney
Ryan (WI)
Schmidt
Shimkus
Souder
Stearns
Westmoreland
Young (AK)

NOT VOTING—46

Austria
Barrett (SC)
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Buyer
Camp
Campbell
Cassidy
Cohen
Costello
Dahlkemper
Davis (AL)
Deal (GA)
Fallin
Garamendi
Gordon (TN)
Granger
Grayson
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hinojosa
Hoekstra
Inglis
Jackson (IL)
Jackson Lee (TX)
Marchant
McCaul
McMahon
Mollohan
Putnam
Rehberg
Reyes
Rodriguez
Rush
Schwartz
Smith (TX)
Stark
Sullivan
Tanner
Taylor
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1908

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL ENGINEERS WEEK

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1097.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WU) that the House suspend the rules and agree to the resolution, H. Res. 1097.

The question was taken.

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

RECORDED VOTE

Ms. DEGETTE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 382, noes 0, not voting 49, as follows:

[Roll No. 77]

AYES—382

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
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)
Braley (IA)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Calvert
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Graves
Green, Al
Griffith
Guthrie
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)

Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Reichert
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sutton
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—49

Austria
Barrett (SC)
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Buyer
Camp
Campbell
Cassidy
Cohen
Costello
Dahlkemper
Davis (AL)
Deal (GA)
Edwards (TX)
Emerson
Fallin
Garamendi
Gordon (TN)
Granger
Grayson
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hinojosa
Hoekstra
Inglis
Jackson (IL)
Jackson Lee (TX)
Johnson, Sam
Marchant
McCaul
McMahon
Mollohan
Putnam
Rehberg
Reyes
Rodriguez
Rush
Schwartz
Smith (TX)
Stark
Sullivan
Tanner
Taylor
Wamp

□ 1917

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from the House Chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 75, 76 and 77.

RESOLUTION TO DEBATE WAR IN AFGHANISTAN

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

Mr. KUCINICH. This Thursday, I will bring to the House a resolution which will finally give this House a chance to debate the war in Afghanistan.

We now have about 1,000 U.S. troops who have perished in the conflict. We have many innocent civilians who have lost their lives. We have a corrupt central government in Afghanistan that is basically stealing U.S. tax dollars.

The Washington Post had a story last week of how up to $200 million is passing through airports from Kabul to Dubai, and it is suspected the money is either U.S. aid, money from drug traffic, or both. What a mess this is.

We are finally going to have a vote on the privileged resolution. It will be dropped on Thursday; it will lay over for the weekend. On Tuesday there will be a rule. On Wednesday we will have 3 hours of debate.

Let's get ready to debate Afghanistan, and let's get ready for Congress to get in the game and take Americans out.

RECOGNIZING DR. BRUCE LOCKLEAR, PRINCIPAL OF EDINA HIGH SCHOOL

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

Mr. PAULSEN. Mr. Speaker, I rise today to recognize Edina High School Principal Dr. Bruce Locklear, who was recently named the 2010 Minnesota High School Principal of the Year by the Minnesota Association of Secondary School Principals.

Members of the association chose Bruce for his collaborative leadership style and his effort to create a more personal school environment, and those traits have certainly paid off. Under the leadership of Principal Locklear, Edina High School has gained praise and recognition, both in Minnesota and throughout the Nation. Edina was ranked among the top 2 percent of high schools in the Nation last year by U.S. News & World Report, and ranked 91st overall in the latest poll by Newsweek. Additionally, Edina has introduced several innovative education programs and a new student leadership program during his tenure.

Mr. Speaker, I am proud to congratulate Dr. Locklear on this well-deserved achievement.

RECOGNIZING RODNEY NAPIER FOR HIS EFFORTS TO HELP THE PEOPLE OF HAITI

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

Mr. BOCCIERI. Mr. Speaker, today I rise in recognition of a fine businessman from Stark County, Ohio. His name is Rodney Napier. His service to the relief effort and helping those in Haiti who need long-term medical care as a result of the earthquake is a show of selfless and truly inspirational giving to the world.

Mr. Napier helped found the Granted Wish Foundation, a national non-profit whose mission is "to provide wishful fulfillment to disabled, disadvantaged and deserving individuals and families."

When the earthquake shocked Haiti and the world, Mr. Napier made his corporate jet available so that supplies, doctors, missionaries, and other relief workers could get to the island for help. Humbled by what he saw while volunteering himself, he realized he had to do more. He donated nearly $70,000 to the relief effort. He also auctioned off three Super Bowl tickets, totaling $12,000, and the Granted Wish Foundation collected more than $63,000 for Haitians in need. Using these donations, two medical treatment vehicles went to Haiti so that physicians could rehabilitate permanently disabled children.

Mr. Napier proves that simple acts of charity can make the difference and save lives. He lives by the biblical lesson that "to whom much is given, much is expected." Whether in our local community or in Haiti, we need leaders like him.

TRY DETAINEES IN CUBA

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

Mr. ROONEY. Mr. Speaker, last week, my office introduced legislation to have all the detainees at Guantanamo Bay, Cuba tried in a military commission at Guantanamo Bay, Cuba.

Recently, when I was at Guantanamo Bay, Cuba, I visited the men and women who are serving in uniform guarding the prisoners at that facility in a facility that has cost taxpayers in the hundreds of thousands of dollars. We also have a state-of-the-art courtroom there to accommodate. I urge Members to support this bill, which is a commonsense resolution to a very controversial issue this year. Try the detainees in Cuba in a military court martial.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TEXAS INDEPENDENCE DAY

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. Mr. Speaker, I rise today because this is a unique day in

the history of the great State of Texas. Today, March 2, marks Texas Independence Day; and on this day 174 years ago, Texas declared its independence from Mexico and its dictator, Santa Anna.

In 1836, in the small farm village of Washington-on-the-Brazos, 54 Texians—as they called themselves—gathered to do something bold and courageous: they signed the Texas Declaration of Independence from Mexico and once and for all declared that the people of Texas do now constitute a free, sovereign and independent republic.

As these determined delegates met to declare independence, Santa Anna and his 6,000 enemy troops were marching on an old beat-up Spanish fort, a mission that we call the Alamo. There, Texas defenders stood defiant and stood determined. They were led by a 27-year-old lawyer by the name of William Barrett Travis. The Alamo and its 187 Texans were all that stood between the invaders and the Republic of Texas. And behind the cold, dark, damp walls of that Alamo, Commander William Barrett Travis sent the following letter to Texas requesting aid. Here is what this appeal said in part:

''To all the people of Texas and Americans throughout the world, I am besieged by a thousand or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours, but I have not lost a man. The enemy has demanded surrender at its discretion, otherwise the fort will be put to the sword. I have answered that demand with a cannon shot, and the flag still waves proudly over the wall.

''I shall never surrender or retreat. I call upon you in the name of liberty and patriotism and everything dear to our character to come to our aid with all dispatch. If this call is neglected, I am determined to sustain myself for as long as possible and die like a soldier who never forgets what is due his honor and that of his country. Victory or death.''—William Barrett Travis, Colonel, Texas Army.

After 13 days of glory at the Alamo, Commander Travis and his men sacrificed their lives on the altar of freedom. However, those lives would not be lost in vain. Their determination did pay off, and because heroes like Travis, Davy Crockett and Jim Bowie held out so long, Santa Anna's forces took such great losses they became battered and demoralized. As Travis said, ''Victory will cost them more dearly than defeat.''

The Alamo defenders were from every State and 13 foreign countries. They were black, brown, and white. Their ages were 16 through 67, and they were all volunteers. They were mavericks, revolutionaries, farmers, shopkeepers, and freedom fighters; and they came together to fight for something they believed in: freedom and independence.

□ 1930

General Sam Houston, in turn, had the time he needed to devise a strategy to rally other Texas volunteers to ultimately defeat Santa Anna in the Battle of San Jacinto on April 21, 1836.

The war was over, and the Lone Star flag was visible all across the broad, bold, brazen plains of Texas.

Texas remained a nation for 9 years and claimed land that now includes part of New Mexico, Oklahoma, Colorado, Kansas, Wyoming, even up to the Canadian border.

In 1845, Texas was admitted to the Union by only one vote when a Louisiana Senator changed his mind. By treaty with the United States, Texas may divide into five States, and the Texas flag is to fly even with the U.S. flag and not below it.

So, today, we remember that Texas was a glorious nation once and won freedom and independence because some fierce volunteers fought to the death for liberty over tyranny.

One of my grandsons is named Barrett Houston in honor of Travis and General Sam.

In Colonel Travis' final letter from the Alamo, he signed off with 3 words: God and Texas, God and Texas, God and Texas.

Mr. BARTON of Texas. Will the gentleman yield?

Mr. POE of Texas. I will yield.

Mr. BARTON of Texas. As a sixth-generation native Texan, I want to commend you for honoring Texas Independence Day, March 2, the 174th birthday of the Republic of Texas. I commend you for the fine work that you do, not just for your constituency in the Houston area, but for the entire State and America.

God bless you, Congressman POE.

Mr. POE of Texas. In reclaiming my time, thank you.

And that's just the way it is, Mr. Speaker.

NO WINNERS IN THE NUCLEAR ARMS RACE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, there is no greater security threat in the world than the continued development and proliferation of nuclear weapons. A single nuclear strike has the power to destroy the planet and to obliterate the human race.

The headline in Sunday's New York Times read, ''White House is rethinking nuclear policy.'' Boy, did it need some rethinking.

After years of a grossly irresponsible nuclear strategy, we should all be grateful that the Obama administration seems poised on this issue to put us on a course toward peace and global security.

It appears that the President is prepared to dramatically reduce the size of the U.S. nuclear stockpile. All accounts are that there will be no development of new nuclear weapons on his watch. That includes the unnecessarily dangerous, expensive, and wasteful ''bunker buster''—the pet nuke of the previous administration. While his predecessor thumbed his nose at the Comprehensive Test Ban Treaty and the Nuclear Nonproliferation Treaty, President Obama is sincere about honoring our multilateral obligations.

Not all the news is that encouraging, however. The emerging White House strategy looks like it will include an increased reliance on missile defense systems, which have proven themselves to be a failure and a waste of taxpayer money for going on 30 years now. Most ominously, there appears to be some reluctance in the White House to adopt a ''no first use'' policy. In other words, we would not specifically rule out the possibility of a preemptive nuclear strike. This should terrify all of us, Mr. Speaker, because it takes only a single nuclear attack to unleash untold human suffering, the likes of which the world has never seen.

What possible national security objective could be served by using weapons that could wipe out civilization?

I encourage the White House to be bold in its pursuit of a world free of nuclear weapons. Specifically, I want to see the administration adopt the principles of the ''NO NUKES'' resolution that I have introduced in this Congress—''NO NUKES,'' which stands for Nonproliferation Options for Nuclear Understanding to Keep Everyone Safe.

The resolution specifically declares that the United States would not use nuclear weapons first, regarding them as a deterrent against attack until their eventual complete elimination.

The resolution also calls for more aggressive multilateral negotiations toward disarmament, greater cooperation with Russia toward dismantling Cold War nuclear warheads, a reaffirmation of the moratorium on nuclear testing, and a ban on weapons in outer space.

Nuclear nonproliferation is one of the pillars of the Smart Security approach that I have been advocating from this Chamber for years, Mr. Speaker. ''Smart Security'' means using more brains and less brawn to keep America safe. It treats war only as a last resort. It demands that we stop equating security with aggression or belligerence. It advances our security goals through humanitarian rather than military means—more development aid, more diplomacy, more conflict resolution, and a more vigorous commitment to stopping the spread of nuclear weapons.

There can be no winners in the nuclear arms race. We cannot afford to get this one wrong. I hope our President treats this issue with the urgency and the sensitivity that it deserves. Nothing less than the life of every man, woman, and child on Earth is at stake.

THE DEPARTMENT OF THE NAVY AND MARINE CORPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, I want to thank 370 Members of the House of Representatives for joining me in an effort to rename the Department of Navy to be the Navy and Marine Corps.

I would also like to share with the House that last Thursday was a very exciting day for this effort, the reason being that Mike Blum, a Marine Corps League executive director, was the MC at a news conference that was attended.

One of the speakers was United States Marine General Tony Zinni.

Senator PAT ROBERTS, from the Senate, introduced an identical bill to the bill H.R. 24, which 370 Members cosponsored.

Also in attendance to speak was General Al Gray, a former commandant of the United States Marine Corps.

There was a very impressive young man from Texas, Sergeant Eddie Wright, a marine veteran and Bronze Star recipient, who lost both hands in combat in Iraq in 2004. Despite his injuries, he became a Marine Corps hand-to-hand combat instructor. He later retired and is now a defense contractor. Sergeant Wright explained the importance of teamwork between the Navy and Marine Corps because he said at the news conference, if he had not had the Navy corpsman there, he would not have been living today to appear at the news conference, calling for this relationship to be publicly respected—the Navy and Marine Corps.

There also was a father, Dick Linn, whose son, Karl, was killed in Iraq in 2005.

Tracy Della Vecchia, the MarineParents.com founder and executive director, was there. Her Web site has over 130,000-plus members. It provides support for parents of marines. She also spoke on behalf of this legislation.

Mr. Speaker, the purpose of this news conference was to announce the national spokesman. The national spokesman was also in attendance, and he spoke as well—Lee Ermey, known as the ''Gunny,'' a Golden Globe-nominated actor and marine veteran. Ermey is host of the History Channel's ''Mail Call'' and ''Lock N' Load with R. Lee Ermey.'' He is a star of major films, including ''Full Metal Jacket,'' ''Dead Man Walking,'' and ''Toy Story.'' Lee Ermey has become the national spokesman, and he intends to help us try to convince the Senate to accept three words: ''and Marine Corps.''

Mr. Speaker, I submit for the RECORD letters from IKE SKELTON, chairman of the Armed Services Committee, and also from Ranking Member BUCK MCKEON.

HOUSE COMMITTEE ON ARMED SERVICES,
Washington, DC, January 26, 2010.

Hon. WALTER JONES,
House of Representatives, 2333 Rayburn House Office Building, Washington DC.

DEAR WALTER: I wanted to take this opportunity to commend you on your continuing campaign to redesignate the Department of the Navy as the ''Department of the Navy and Marine Corps.'' Since 2001, you have worked tirelessly to bring about this change, and I am proud that, as Chairman of the House Armed Services Committee, I have included it in the Chairman's mark of the National Defense Authorization Acts of Fiscal Years 2008, 2009 and 2010. I regret, however, that the Senate has not been as receptive to your effort, and so far, we have been unable to carry this provision into a Conference Report, and then into law.

Walter, your dedication to this matter has been steadfast, and I commend your sincere desire to recognize the men and women of the United States Marine Corps in this way. Hopefully, 2010 will be different. With over 360 co-sponsors of your bill H.R. 24, this effort has real momentum behind it, and I will be pleased to support its consideration on the House Floor and, of course, again carry it as part of the Chairman's mark of the national defense authorization bill for Fiscal Year 2011.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE COMMITTEE ON ARMED SERVICES,
Washington, DC, February 3, 2010.

Hon. WALTER B. JONES,
2333 Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN JONES: It is with great pleasure that I join you and Chairman Ike Skelton in the effort to redesignate the Department of the Navy as the Department of the Navy and Marine Corps. For the past eight years, I have worked with you to see this become a reality. Now is the time to move forward. Through blood and sacrifice, the United States Marine Corps deserves such recognition and I hope that this year it becomes a reality.

As you are aware, the House version of the National Defense Authorization Act (NDAA) has carried this language since 2001. However, the Senate has yet to agree to our position in order for this change to take effect. Today, more than 360 members of the House have agreed with us that this change is necessary to reflect the true role of the Marine Corps within the Department of Defense, as a coequal with the Navy. I look forward to pushing this effort with you when it reaches the House Floor in the spring as a standalone measure and will continue to support the language in the FY11 NDAA.

Thank you for your steadfast dedication to this effort.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Ranking Member.

In the letters from the chairman and ranking member, they state that they will bring this bill to the floor sometime in April as a suspension bill, will pass it on the floor, and will send it to the Senate. Then it will be up to the Senate to do what they will. Hopefully, they will understand what Senator ROBERTS said. All we are asking for are three words: ''and Marine Corps.''

Mr. Speaker, before I close, Dick Linn, who lost his son in Iraq in 2005, received condolence letters. He brought this up. I happen to have these three posters of fallen heroes from Camp Lejeune. They are marines who have died. Mr. Linn said that he was so disappointed and that, when he received these condolence letters, he was so proud of his son, who was a marine. I'll show you what he received.

Mr. Speaker, you can see on this letter—it's a blowup—the Secretary of the Navy, Washington, D.C., Navy flag. Nothing. There is absolutely nothing about the Marine Corps. Yet, the young man who died and many others who have died who were also marines received the same kind of letter, and there was nothing about the Marine Corps except in the body of the letter.

If this should become law—and I hope that the Senate will see the need for this, the need to recognize the Marine Corps and to say, Thank you, Marine Corps. You are one part of the fighting team, the Navy and Marine Corps. This is what it would have said:

The Secretary of the Navy and Marine Corps, Washington, D.C., with the Navy flag and the Marine flag. That's what it should be. I want to say before I close, Mr. Speaker, that the Navy and Marine Corps are one fighting team. They should be represented in name as one fighting team, Navy and Marine Corps.

Mr. Speaker, I want to close, but as I always do close with my heart aching for all who have given their lives for this country in Afghanistan and in Iraq, I ask God to please bless our men and women in uniform and for God to please bless their families.

God, please, in your loving arms, hold the families who have given a child dying for freedom in Afghanistan and Iraq.

Mr. Speaker, I ask God to please bless this House and Senate that we will do what is right in the eyes of God.

I ask God to please bless the President. Give him wisdom and strength to do what is right for this country.

Three times, I will ask God: God, please, God, please, God, please, continue to bless America.

SHAMELESS EXPLOITATIONS OF THE FILIBUSTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. JOHNSON) is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, today, I am saddened as I rise in support and on behalf of the American people who do not believe that the fate of the Nation should be subject to the whims of just one single individual Senator.

The Senate filibuster was first used in 1837, and for more than a century, it has been used very sparingly and as a last resort. Even as recently as the 1960s, when the filibuster was used to obstruct historic civil rights legislation, it was used to block legislation in less than 10 percent of major bills, but a rule change in the 1970s opened up

the floodgates for abuse. Suddenly, by simply threatening to filibuster, a single Senator could obstruct any bill that lacked 60 votes. Today, the filibuster is the last stand of special interests and is a platform for grandstanding by obstructionist Senators.

In 2009, the Party of No, the Senate Republicans, paralyzed the country, filibustering our political process—80 percent of major legislation filibustered.

Mr. Speaker, there is no doubt that the Founders of our Nation intended for the Senate to be a moderating influence on the process of legislating. So they gave Senators 6-year terms of office. At the same time, they gave House Members 2-year terms of office so that they could be closest to the will of the people. The Senate was to be the deliberative body.

George Washington is said to have argued that the Senate would cool legislation as a saucer cools hot tea. In that same spirit, James Madison explained that the Senate would be a necessary fence against the fickleness and passion of American politics. Yet the Senate no longer cools the tea of legislation. It freezes it cold—solid. It is no longer a fence against fickle passions; it is an impenetrable wall which is obstructing progress.

The prerogative of a single Senator to single-handedly block any bill is an affront to democracy. It is clear that the minority party, utterly incapable of governing effectively while in power, has decided to obstruct those of us who are here to solve problems. The filibuster is their weapon of choice. This week, we are witnessing what must surely have been one of the most shameless exploitations of the filibuster in American history.

Mr. Speaker, I rise this evening after witnessing this shameless exploitation with sadness in my heart, with sadness at the absurd posturing of my friend, the retiring Senator from Kentucky, who has single-handedly blocked passage of highway jobs investment, unemployment insurance, and health coverage for Americans who have lost their jobs.

□ 1945

When this Senator and when the previous administration were running this country, they threw wild pitch after wild pitch—an unnecessary $3 trillion war; runaway spending that turned a healthy surplus into a massive deficit; massive tax cuts for the rich that were not paid for; utter mismanagement of the economy; financial crisis and devastation to Main Street America—one wild pitch after another.

So the American people went to the bullpen. They put a pitcher with better stuff on the mound. He was a lefty, but he is throwing strikes straight down the middle with speed and accuracy.

But now the Senator is looking to get back into the game, and he has thrown a beanball straight down the throats of the American people. This week, in the midst of a deep recession, thousands of jobs have been furloughed, millions of unemployed Americans have feared the loss of their lifelines, their unemployment benefits, and construction projects ground to a halt.

All because a single, lame-duck Senator—ostracized even within his own party—wants some attention.

Well tonight I have an urgent message for the American people.

Call him. Call Senator BUNNING. Tell him Americans are suffering. Tell him Americans have no patience for his shameless games. Tell him America will not be held hostage. Tell him to be part of the solution or to get out of the way.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

INDIANA HELPS ACHIEVE STATEHOOD FOR TEXAS BY ONE VOTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, one of the Members that I admire the most is my good friend from Texas, Mr. POE. He is a real patriotic guy, and tonight he made a great speech on the independence of Texas. One of the things I would like to talk about real briefly is how Indiana had a hand in Texas becoming a free State, a free country.

Back when Texas was debating whether or not they should become an independent country and ultimately a State of the Union, we had a real contested election in Scott County, Indiana. The guy that was running for State representative of Scott County went around door-to-door, and he knocked on this one door and a man was in bed, he was very ill and about to die.

When he asked for this man's vote, the man said, ''How do you feel about Texas being admitted to the Union?'' The fellow running for State representative said, ''I am for Texas being admitted to the Union.'' And the guy said, ''I am going to vote for you.''

On election day, the man was on his deathbed, and he was literally carried to the polls and he voted for the gentleman who said he was going to vote for admission of Texas to the Union, and he was elected by one vote.

He went to the State legislature and there was a great debate over who was going to be the State senator from Indiana. In those days, the State legislature decided who was going to be the Senator. The debate raged on for a long time, and it was decided that the man who was running for senator who wanted to admit Texas to the Union was elected by the State legislature by one vote.

He went to the United States Senate and they debated the issue of Texas being admitted to the Union for a long time, and, as my colleague just said, Texas was admitted to the Union by one vote.

So when people tell you one vote doesn't matter, I hope they will remember that Texas was admitted to the Union by one vote, as Mr. POE just talked about a few minutes ago, and the man from Indiana who was the United States senator who was for Texas being admitted to the Union, he was elected to the U.S. Senate by the Indiana legislature by one vote, and the man who was a State representative who cast the vote that put him in the United States Senate was elected in Scott County, Indiana, by one vote.

Although I wouldn't want to take credit for Texas being a part of the Union because of Indiana, I did want to say to my good colleague from Texas tonight that Indiana did have a role in electing Texas to the United States of America. So I am very happy that tonight we celebrate the admission of Texas into the Union. And I must say to my colleague, don't ever forget that the United States of America got the great State of Texas because Indiana put a Senator there who voted for Texas by one vote.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

COMMEMORATING LOUISIANA STATE UNIVERSITY'S 150TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. CASSIDY) is recognized for 5 minutes.

Mr. CASSIDY. Mr. Speaker, as a proud graduate of Louisiana State University and LSU Medical School, I am honored to stand before the House today to thank my colleagues for commemorating LSU's 150th anniversary.

Since its first session in 1860, LSU has become the flagship university for our State, with over 650 endowed chairs and professorships held by distinguished faculty in disciplines that support the culture, government, and economy of Louisiana.

With more than 300 student organizations on campus, LSU plays a major

role in our community. The Ag Center, for example, has conducted research which has resulted in greater yields and incomes for farmers across the world.

It operates the Safety Net Hospital System for the State of Louisiana, caring for the uninsured and under-insured in our State and sometimes surrounding States.

After Hurricane Katrina, LSU operated the Nation's largest field hospital and enrolled student evacuees from other universities who couldn't return to devastated areas in our State.

In addition to its excellent academic programs, LSU is renowned for its athletic achievements.

Lastly, Mr. Speaker, I would like the RECORD to reflect the proper spelling of our motto, which reflects not only our affection for LSU, but our French culture. When I say Geaux Tigers, it is G-E-A-U-X Tigers.

With that Mr. Speaker, Geaux Tigers, and I yield back.

A SECOND OPINION ON HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the minority leader.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the minority leader for giving me the opportunity to spend some time with my colleagues tonight on the House floor talking about, yes, one of the most important issues not just of the day, but of the year, and in fact the past year-and-a-half, and that is, of course, the issue of health care in this country.

Colleagues, I know that we all watched very closely, as did men and women across the country last Thursday, when there was a health care summit at the Blair House. Leadership from both the majority Democratic Party and the minority Republican Party, my party, were invited to the White House, about 20 on each side of the aisle, moderated by none other than the President himself.

I think, Mr. Speaker, that that was a good thing. I commend the President for calling that summit. I think that each side, leadership and Members, particularly I think my colleagues from the Senate and our colleagues from the House, the medical doctors, did a great job of explaining their view and position on health care reform, alternative ideas which I think the President listened very carefully to.

It is hard to know what actually came out of that particular session, seven hours of dialogue, the whole thing televised. But, again, Mr. Speaker, I think it was good that we showed that there can be some comity and bipartisanship in this body and in the Congress. Indeed, it was a good opportunity.

Well, here we are almost a week later and we get an announcement from the Associated Press just moments ago, Mr. Speaker. I was reading my BlackBerry, and apparently the President is going to come forward tomorrow yet again with some change to the health care plan even different from the 11-page change to the Senate bill that was posted on the Internet last Monday in anticipation of the health care summit on Thursday. I don't know what that is going to say, Mr. Speaker. I don't know what the President has in mind. Maybe we will spend a little bit of time this evening talking about that.

I am pleased that my good friend and fellow physician co-member of the House GOP Doctors Caucus and fellow OB–GYN specialist from the great State of Tennessee, Dr. PHIL ROE, has joined me, and we will engage in a colloquy.

But I just wanted to kind of set the stage tonight for our colleagues and say to both sides of the aisle, Mr. Speaker, and also to the administration, especially to the administration and to the President, again, I am not sure what we will see tomorrow, Mr. President. I look forward to very carefully looking at any proposals, especially if they are adopting some Republican ideas so that we can do these things, these important things for the American people, in a bipartisan way. We were elected to do that.

But I would very much liked to have been at the Blair House last Thursday. In fact, Mr. Speaker, the President knows that, or at least some of his staff knows. I don't know if he ever got to read my letter when I requested to come and speak on behalf of the Doctors Caucus in the House on the Republican side. I didn't get to go, but Dr. CHARLES BOUSTANY, our colleague from Louisiana, a cardiothoracic surgeon, was there, and did a great job. I am awfully proud of Dr. BOUSTANY.

But had I been there, had I had that opportunity to get my 5 minutes of fame or whatever, I would have said to the President, You know, one thing that you have done that I think is probably one of the most important things in regard to health care reform, that is money that was allocated, $19 billion in fact, to try to get electronic medical records in the hands of every practicing physician in this country, all 750,000 of them, and every hospital in this country, so that we could clearly reduce medical errors, we could ultimately save lives, and, in the long run, save money.

This is an idea that I think, at least from this Republican viewpoint, Mr. Speaker, is bipartisan, and I commend the President. President Bush had the same idea, and again it was a plan to get fully integrated medical records by the year 2014–2015. So we can do things in a bipartisan way.

There are a number of other things that Dr. ROE and I would like to talk about, Mr. Speaker, tonight. We don't need to spend $1 trillion. That expenditure on electronic medical records is something like $20 billion. Now, $20 billion is a lot of money, but it is a long way from a thousand billion, and that is a conservative estimate by the CBO: $1 trillion for this 2,700-page reform. We don't need that, Mr. Speaker.

Again, I am not sure what the President is going to say tomorrow, but I hope that finally he will be listening to the American people and realize that there are some targeted things that were mentioned, yes, by Democrats and Republicans, but the President I think wants to adopt some Republican ideas, and we are talking about things especially like medical liability reform.

The CBO gave a very conservative estimate of saving $54 billion over 10 years. But if it is the kind of medical liability reform that is comprehensive, fair, absolutely fair and balanced, so that patients who are injured by practitioners of medicine and by facilities that are practicing below the standards of care, that they absolutely have a redress of their grievances and a decent recovery.

But the President, Mr. Speaker, in the bills that we are currently looking at, the House and Senate bills, there is just a pittance, like $25 million worth of grants to States to look at it, to study. We keep creating these study commissions, but not even allowing States who have already capped noneconomic damages, so-called pain and suffering—in many instances these are these frivolous lawsuits—those States wouldn't even be eligible for any of this $23 million in grants.

So I hope his comments tomorrow include adoption in a new bill or a modification, and hopefully a vast shrinkage of the existing bill, and that it is true medical liability reform.

□ 2000

Because that's the only way we save lives and save money and bend that cost curve down in the right direction.

So with those opening remarks, Mr. Speaker, I want to yield time to my colleague from Tennessee, Representative PHIL ROE.

Mr. ROE of Tennessee. Thank you, Dr. GINGREY, for yielding. As I was sitting here, I think what we should do is go back a year. Obviously, last year when we first began this session we knew that health care reform was going to be on the front burner. The arguments that I heard for the need of it being on the front burner were the same as I heard over 20 years ago, which were rising costs of care, decreased access to care. And we have viewed those things, I think, over a period of time and understand that we have the best quality health care in the world in the United States, but it is expensive. So the cost is a huge issue. And that's one of the things that I think in this current bill is not being addressed adequately, or has not been.

One of the great disappointments I had during the debate on this health care bill was the fact that in our Doctors Caucus on the Republican side we have 14 Members, now 10 physicians.

We have an optometrist, dentist, psychologist. And not any of us were consulted in any meaningful way in putting together, on the House side, an over-2,000-page bill.

Let's summarize that bill a little bit. The House bill that was passed has a public option in there. That is not the case in the Senate bill. In the Senate bill and the House bill there are both individual and business mandates to purchase insurance. We have never in the history of this country on a Federal level—and you hear it compared to a State issue of car insurance. It's not the same thing. We've never done that before. So there are some distinct differences in these two bills. And they are now coming to the House. It passed in the House by 220–215; and in the Senate, 60–40.

Now the President, and Dr. GINGREY mentioned this, several of us have attempted on numerous occasions to go to the White House and sit down in a bipartisan manner and lay out literally hundreds of years of experience and go over with him what we saw work and what didn't work.

And what I saw in my State in Tennessee back 16 years ago was we looked at access, we look at rising costs, and people's inability—losing their insurance. The same issues as today. We asked for a waiver from the Health and Human Services to start a new managed care plan called TennCare. I've discussed it here on the House floor, and I'm not going to go into the details, but just to say that bill, that project, when it first started, was a $2.6 billion project in the State of Tennessee to cover people. We had a lot of uninsured people. We wanted to get as many people covered as we could.

In doing that, in 10 budget years in the State of Tennessee that had gone to an $8 billion program. It had tripled in costs. And so we found out unless people had some skin in the game, unless they had some different incentives than we had, the costs would escalate. As a matter of fact, it escalated so much that it took up one-third of the State budget, and every new State dollar we took in went to the health care. So the Governor, who's a Democrat, and the legislature, which was Democrat and Republican, split, had to do something about it because the State simply couldn't afford it.

What I see in this current Senate bill is a massive expansion of the same program that failed in the State of Tennessee. And to show you how bad it is right now in our State, we're having to limit doctors visits. That's right now, currently, I'm talking about. Not with this added part. Remember, in the Medicaid program, the State has a match. That's why the Nebraska carve-out was such a problem for other States, because there is a match that's required in Medicaid: the Federal Government provides so much money, the State provides so much. Well, our State can't provide any more. So we've cut the rolls of over 200,000 simply because the State of Tennessee doesn't have the money for the current plan, not the very expansive plan that we've talked about.

I think last week—I agree with you, Dr. GINGREY, it was a year overdue. It should have happened a year ago. It was good going to show that there are philosophical differences between how you approach health care. Basically, do you want a larger—I won't say nanny State—but ever-expanding government to make those decisions, or individuals to make those decisions? Certainly, I believe that individuals should.

When you look at this plan that's there now, I can tell you it says it's budget neutral. There's some gimmicks that have been played. PAUL RYAN very clearly pointed those out in the $500 billion that is being carved out of an already underfunded, failed Medicare plan; 2016, that goes upside down. In other words, more money is going out than coming in. If you take $500 billion out of that, you've just created another liability for the Medicare program.

I will tell you, if you take that much money out, three things will occur. One, there will be decreased access to care because doctors are not going to be able to take the patients. They won't pay. Number two, the quality will go down if you can't go in. And, thirdly, the seniors will pay more for the care they're going to get because they'll have to. There won't be any other choice.

We talked about some simple things that I think we could do. As you pointed out already, there's a 2,700-page Senate bill out there. We can cover two-thirds of the people in that Senate bill with two paragraphs. Number one—and it's in the House bill—it's simply to allow young people who don't have health insurance after they get out of high school or college to stay on their parents' plan until they're 26 or 27 years old. Just pick your number. That will cover 7 million young people. Number two, sign up the people who are already eligible for SCHIP, the State Children's Health Insurance Plan, or Medicaid. Already you have got those plans in place. Have adequate funding. That will cover, Dr. GINGREY, almost 20 million people. This complicated Senate plan covers 31 million people.

You hear people talk about bending the cost curve, keeping costs down. Dr. GINGREY talked about it a little bit on medical liability reform. Without liability reform you will never be able to completely reverse this cost escalation. Why? Because doctors will order tests to protect them in case there's no disincentive for them not to. Again, an experience we've had in our State: 35 years ago we formed a mutual company, State Volunteer Mutual Insurance Company, to protect physicians. When I first went into practice, my premiums were about $4,000 a year, probably much like yours were. When we left, a physician who took my place was $74,000. It's gone up almost 18 times, over that period of 30 years, the increase in premiums.

And what have we gotten for that? Well, over half the premium dollars that I paid in for 35 years, gone for attorneys, both defense and plaintiff attorneys, not to the injured party. Less than forty cents on the dollar actually went to the injured party. So we've got a bad system to basically compensate people who have been legitimately injured. So until you get that fixed, you're not going to ever completely bend the cost curve. You've got that to deal with.

I think the waste and fraud, everyone agrees with that. There's waste, fraud, and abuse in the Medicare program, absolutely. I do have the President's letter. And the four things that he agreed to discuss were waste, fraud, and abuse. I think we all agree on that. Both sides. I don't think you'll get any disagreement there. The liability reform is just more study. The study that he was talking about was to not limit attorneys' contingency fees and caps on damages. Well, that's the two problems that are causing the problem right now. And in Texas, which we've already done the experiment, in 2003 they passed liability reform. And what's happened in Texas? Well, premiums have gone down 30 percent and physicians have streamed into Texas. Almost 15,000 new doctors have applied for practice in Texas.

Mr. Speaker, the third thing that the President has in his letter is the inadequate payment for Medicaid patients. In our State, they pay less than 60 percent of the cost of actually providing the care. So physicians are not able to take as many of those patients, and many of them limit or don't see Medicaid patients. He said he would be willing to look at that if it's fiscally responsible. The other is to encourage health savings accounts, which has been one of the centerpieces of personal responsibility.

One of the things that has bothered me in this bill, that supposedly the President said in this chair here not long ago, that he wouldn't sign any legislation that wasn't budget neutral. Well, the sustainable growth rate, as you and I both know, are how doctors are paid by Medicare. As a matter of fact, right now there is no—we have had no ''doc fix,'' we call it. There's a 21 percent cut in the budget right now for that that will occur this week if we don't do something this week. If there's a 21 percent cut in those payments to our physicians, then you're going to see a lot less Medicare patients have access to their doctors. And that is a very bad thing.

So I think there are some good things about what the President said here. I agree with that. Then there's some things that just don't mesh with the current legislation.

I want to talk about one other thing, and then I'll yield back. One of the things that when you see CBO and you see all these estimates, you have to go

back and just look at history. When Medicare was first debated on this very floor right here, and passed, it was a $3 billion program. 1965. The estimates then were it would be a $15 billion program in 1990. Flash forward to 1990. It was over a $90 billion program. Today, it's over a $400 billion program.

So if you look at those estimates and look at the history of our estimate in Tennessee that we were going to actually save money, keep premiums down. And, Dr. GINGREY, what's happened when the bigger—these programs that come along that don't pay the cost of the care. Medicare pays about 80, 90 percent of the cost of providing the care, and TennCare or Medicaid pays about 60 percent of the cost. Those costs get shifted. And they get shifted to business and individuals. We think, in Tennessee, it might add as much as $1,800 per family who have private health insurance. So it's a hidden tax. We can't continue to do that, or you'll drive the insurance companies out of business.

Certainly, the insurance companies, we have every right, I think, to look at them very seriously. I know when I left practice, I had a case, and one of the last cases I did, I spent as much time getting the case approved as I did actually doing the case, almost. So there's some insurance reforms that need to be out there. You've experienced the same exact thing. A lot of frustration on my part there, also.

I yield back to the gentleman.

Mr. GINGREY of Georgia. Dr. ROE, thank you so much. I hope you will be able to stay with us for a little bit more time tonight as we continue the colloquy.

Mr. Speaker, I wanted to show a few slides to our colleagues. Of course, starting with the Second Opinion, the subtitle: When will the White House listen to the American people? When, indeed, Mr. Speaker, will the White House listen to the American people?

In the second slide, let's just go back to last August, 7 months ago. Americans attended town hall meetings across the country in record numbers. In fact, my town hall meetings, instead of having 40 or 50 people there, I had 1,500. And I'm sure other Members experienced the same thing. These people were asking that the Democratic majority stop their plans to implement a government takeover of health care. And here's a quote, Mr. Speaker, from ABC News, and the date is August 5, 2009. That's when all these town hall meetings were going on across the country. I quote from the newspaper, There were no lobbyist-funded buses in the parking lot of Mardela Middle and High School on Tuesday evening, and the hundreds of eastern Maryland residents who packed the school's auditorium loudly refuted the notion that their anger over the Democrat health care reform plan is manufactured. That's what ABC News was saying back 6 months ago.

Now fast forward to today, March 2, 2010. Americans are still trying to be heard by the White House and Democratic leaders as Democrats continue to try and ram a government takeover of health care through the Congress by any way possible. This is a quote from Rasmussen, the polling guru. Everybody's familiar with the Rasmussen poll: February 23, 2010, just last week, Voters still strongly oppose the health care reform plan proposed by President Obama and congressional Democrats and think Congress should focus instead on a smaller plan, smaller bills, that address problems individually rather than a comprehensive plan.

Well, Mr. Speaker, that's what we're talking about tonight, that's what Dr. ROE is discussing, that's what I said in my opening remarks, about had I been at the Blair House, what I might have said, very respectfully, to the President, to Majority Leader REID, and to the Speaker of this House of Representatives, Ms. PELOSI.

□ 2015

The American people were not an angry mob, as they are not today, my colleagues. They are men and women, a lot of seniors, yes, very concerned about the massive takeover by the government. And that is the thing, the bottom line that the people fear the most, is having government take over every aspect of our lives. Indeed, colleagues, we are talking about, and we all hear this quote and don't argue with the statistics, this is one-sixth of our economy; $2.5 trillion a year on health care.

We see the same thing, quite honestly, happening in education. We have a bill on the floor tomorrow, Mr. Speaker, a bill with a special rule in regard to telling school systems all across this country how they can discipline children. I am sure there are some concerns and there may be some abusive behavior in very small pockets and a small problem. But we have this attitude up here, Mr. Speaker, that the Federal Government knows best, and we have these knee-jerk reactions to things, and all of a sudden we make this huge mountain out of a mole hill, I think, in some instances and say the Federal Government has to take over; that school boards, elected by a local community, can't run their local schools. I think that is hogwash, quite honestly.

The American people have spoken about this. They want us to correct the things that they can't deal with themselves. And yes, they want us, Mr. Speaker, to rein in the abuses, in this instance, of the health insurance industry. But you have to understand, colleagues, that there are a lot of good, honest, ethical men and women in this country who work in the insurance industry, whether they are selling life insurance or property and casualty, or health insurance. Independent agents.

And there are some great health insurance companies, large companies, small companies, probably over 3,000 total. We need to be careful that we're not beating up on them so bad that all of a sudden we destroy an industry, and how many hundreds of thousands of jobs in the process.

Mr. ROE of Tennessee. Will the gentleman yield?

Mr. GINGREY of Georgia. I would be proud to yield for comments from my colleague from Tennessee.

Mr. ROE of Tennessee. You make a great point. We are not here defending them. But to put this in perspective, if you took all the profits that the health insurance industry made, it would be 2 days of the health care of this country. That is how much it is: 2 days out of 365.

Mr. GINGREY of Georgia. I thank the gentleman for pointing that out. This is the kind of wisdom that we need to hear and need to stop and think.

Certainly Dr. ROE would agree, and I fully agree, Mr. Speaker, that if insurance companies are rescinding, is the word that is used, a rescission action, rescinding a policy after the fact. Somebody has got health insurance for their family, including their children, and they have a teenage daughter, and she, lo and behold, has to go into the hospital for an emergency appendectomy. The surgery is a success, everything goes fine, and they expect that the insurance company will pay whatever is above the copay and the deductible. And then all of a sudden they are told, ''Well, no, we've looked back through your policy that you took out, Dad, for the family 10 years ago when your teenager was just 3, and you gave us the wrong birth date, or you failed to dot an I or cross a T, and therefore this $20,000 bill, you're on your own, buddy.'' Well, that has to stop. Of course it has to stop.

And this also not allowing people with preexisting conditions, particularly if they are in the individual market, just make it so impossible, either deny or make the premiums four times the standard rate, and that essentially is denial, too, isn't it, Mr. Speaker? Well, Dr. ROE and I agree, and everybody in this body, all 435 of us agree that we need to stop things like that. Those things can be done, but it doesn't take 2,700 pages and 32 additional Federal bureaucracies to deal with that.

Again, I don't know what the President is going to say tomorrow. I read that AP report that he is going to indeed address four subjects in maybe yet another bill, or maybe in addition to the current Senate bill, that were brought up last week on Thursday at the Blair House by the Republican Members that were there. Let me just on my BlackBerry, Mr. Speaker, refer to that. And just for my colleagues, maybe some of you had already read that.

The proposals President Obama listed are four: Number one, sending investigators disguised as patients to uncover fraud and waste. I want to get

back to that, Mr. Speaker, in just a minute. Expanding medical malpractice reform pilot programs. Sounds good to me. Increasing payments to Medicaid providers. Absolutely. If we are going to have any Medicaid providers, I hope we will do that. And last, the fourth thing, and I am really interested in reading about this because I'm most in favor of it, expanding the use of health savings accounts.

But I do want to go back to that first one, Mr. Speaker, if I may. Sending investigators disguised as patients to uncover fraud, waste, and abuse. I know that was brought up at the Blair House by a Republican, but, quite honestly, if we don't already, Mr. Speaker, have enough Inspector Generals within CMS and other government programs, health care, TRICARE, the veterans program, CHIP program across the country, I think we could do a better job with combating waste, fraud and abuse than sending undercover patients into doctors' offices.

I haven't practiced in a while, but I spent 31 years, Mr. Speaker, as a medical practitioner, it has only been 7 or 8 years since I practiced, but I worried all the time about making sure that I didn't make a mistake, that I ordered the sufficient number of tests. And in fact, I practiced like everybody else, probably Dr. ROE as well, I welcome his comments on this, what we call defensive medicine. And many times getting a blood test, or an x-ray, or a CAT scan, or an MRI, or something that I knew wasn't necessary. I hoped that it wouldn't be harmful to the patient. If you draw too much blood, you can certainly turn them into an anemic patient.

And, Lord knows, we had a hearing just last week, Mr. Speaker, in the Energy and Commerce Committee about x-ray exposure, particularly from MRIs and CAT scans and things that you really don't know if 10, 15, 20 years from now if that exposure couldn't indeed lead to a cancer that that patient might not otherwise have contracted. So all of that defensive medicine that we practice, and my colleagues, the OB/GYN specialists, are in town this week, and I have had the conversation with them, so I know that we need to stop that.

But this business of saying we're going to disguise people and have them go into a doctor's office as a fake patient, I sure hope they don't go in as a fake patient and decide to have a hemorrhoidectomy to see whether or not the doctor is qualified. Some of this stuff is a little bit ridiculous, I think.

I want to yield to my colleague from Tennessee, because he's got almost as much clinical experience as I have. I would like to know how he feels about that particular aspect of reducing waste, fraud, and abuse.

Mr. ROE of Tennessee. I would like to go on record tonight with you as naming this ramming this bill through this month March Madness. And I am not talking about basketball. It would be madness to do that now. And I will just tell you why I believe that.

Six o'clock the night after that summit last week, I just happened to have a telephone town hall and had 1,100 people vote in a poll. There were four questions: Number one, do you want to pass this bill as it is? Number two, do you want to take a clean sheet of paper and start over? Number three, do you want to just scrap it and work on jobs? Or number four, do you not have an opinion on this? Five percent of those 1,100 people who voted said to pass the bill as is. Thirty-eight percent said get a clean piece of paper and start over. Fifty-two percent said just stop altogether and let's get to working on getting people back to work in this country; start on jobs. And then 5 percent were undecided.

As you can see, that CNN poll right there showed 73 percent of Americans think we should start all over or do nothing. So it is not that much different than the very poll I did of 1,100 people voting. Mine was not a scientific poll. I want to point that out. It was just a telephone town hall poll. I don't want to pass it off as anything it is not.

Mr. GINGREY of Georgia. Thank you for sharing that with our colleagues in regard to the tele-town hall meeting and the poll that you conducted with your constituents in Tennessee. You referred to this next slide that I have got titled, and I want to point it out to my colleagues, ''What Americans Want.'' Just like Dr. ROE said, poll numbers, 73 percent of Americans think Congress should start over on health care reform, or if they can't start over and get it right, do nothing.

I mean for goodness sakes, this business of when you are talking about health care and somebody comes along and says to you, ''Do something, even if it's wrong,'' think about that for a minute. Do something even if it's wrong? Regarding health care? Regarding an operation? Regarding a delivery of a child? No. Don't do something even if it's wrong. You better get it right. And if you can't get it right with what your plan is, drop the plan.

Then going on the bottom half of this slide, Mr. Speaker, 56.4 percent of people indicated they would prefer Congress to tackle health care reform on a step-by-step basis, not take the comprehensive approach as embodied in legislation that passed the House and Senate last year but is now stalled, thank God, for the past month.

I want to yield to my colleague so he can further elaborate on this.

Mr. ROE of Tennessee. Thank you for yielding.

One of the things that is not mentioned in the President's letter that I am looking at here is that certainly people who are either pro-choice or pro-life do not want, a vast majority do not want taxpayer dollars spent on federally funding abortions. The way the Senate bill is written, the way the House bill without the Stupak amendment, it does do that. The Stupak amendment in the House bill forbids that. The Senate bill does not. And nowhere in this language—why can't we just come out and say a vast majority of the people do not want that? And we should be able to come out and say that no Federal dollars will be used to fund abortions in this health care takeover. I think that is fairly simple.

We saw how the Stupak amendment passed with an overwhelming majority in the House. It did not do so in the Senate. But I think that is fairly simple. We ought to be able to say that. The President ought to be able to say that right now, tomorrow. He should be able to come out and say just that.

The second thing you brought up a moment ago were preexisting conditions. That is for you and I, where I would see it as a physician would be in a patient I diagnosed and would have a breast cancer and maybe lost her job or retired from teaching or whatever it may be, and then she is uninsurable. Well, that is unacceptable. That is absolutely unacceptable. I fought with that for 30 years in practice. Preexisting conditions are a problem in the individual market. The year I ran for Congress, I was in the individual market. It was tough to find insurance. It is expensive, and most people can't afford it. And small businesses. Seventy percent of our jobs are from small businesses. So how do you create a situation where small businesses can afford this and become larger groups?

□ 2030

Well, I know it doesn't make sense, and I have never been able to understand why anybody would care if you sell insurance across the State line. I use the example of Bristol, Tennessee and Virginia. There is a city in my district where State Street has a line right down the middle of the street. On one side, you are in Virginia, and on one side, you are in Tennessee. One side you've got a different insurance policy than the other side of the street. That makes absolutely no sense. You don't get your homeowners that way, your life insurance. Car insurance you can buy across State lines. It makes no sense.

I can see why the insurance industry wouldn't want you to do that because it creates competition. And then what you allow people to do once they can shop across State lines, because there are vast differences, you can get on the Internet and find out what a life insurance policy costs you anyplace in the country. You can evaluate whether the company is solid or not, and you know what you're buying. You can find out. It is transparent.

We need transparency in insurance rates, and we need to allow small businesses to form groups. You can call them association health plans, group plans or whatever. But if you can spread those risks over thousands of people, then the preexisting condition

goes away. And I can't imagine why anybody would object to that. That's not here in the President's plan. He's got this exchange that's government regulated instead of the free market regulation. I think that's a huge difference in the way we look at this. Do we want government regulating it? Yeah, you want some. We have antitrust laws. Absolutely you do. But we want the free market to work because it works much more efficiently, and that's two of the basic differences in these two——

Mr. GINGREY of Georgia. Dr. ROE, if you will yield back to me for just a second, I want to continue on this point that you are making. I think what you just said, if I understand it correctly, Mr. Speaker—what Dr. ROE just said is that if we would allow individuals to go online, they wouldn't have to get in their car. I wouldn't have to drive to Tennessee to apply, to sign up for a health insurance policy that's offered in Tennessee. From the comfort of your home, you do it over the Internet.

And if we would simply allow that—and also, by the way, allow small employers that maybe employ 10 or 15 people to come together with others in what we refer to as an association—and very quickly, you could get to 1,000 or more and form an association, and that way you spread the risk. You have some people that have preexisting conditions. You have some people that have had a heart attack or already have high blood pressure or whatever. But if you spread it among 1,000 people, you have lots of healthy people in that association, so you are able to bring down the cost.

And the same thing with individuals being able to buy across State lines because they're part of a—people all across the country in every one of the 50 States might be getting on that computer and buying a plan that's offered in the State of Tennessee or in the State of Georgia. And that way, as I understand what Dr. ROE is saying, Mr. Speaker, you wouldn't need these exchanges because that would be the exchange.

And then to sort of complete the thought, you also—within every State, or you could come together on a regional basis if you wanted to with neighboring States. You could have these high-risk pools within the State so that individuals that do have these preexisting conditions, these insurance companies, health insurance companies that offer their products within a State, they would have to participate, and they would have to agree that, Hey, you take one high-risk patient; I will take a high-risk patient. You take another one; I will take another one. And do it in a fair and balanced way and not have the premiums be more than, say, 2, 2½ times the most standard rates. Then if they are low-income, but yet they don't qualify for Medicaid because they're not quite that low but they certainly can't afford the premium, then the State and the Federal Government can help with some subsidies. But not this business of $500 billion worth of subsidies. That's what's causing this bill to be so expensive. In fact, you know, you cut money out of Medicare, $500 billion out of Medicare, tax the American people $500 billion.

So, Mr. Speaker, Dr. ROE is offering us—it's a Republican idea, yeah, but it ought to be bipartisan. And we talked about it at the Blair House last week. So we really don't need these exchanges, do we, Dr. ROE? And I will yield back to you.

Mr. ROE of Tennessee. I can't imagine why anybody would mind if you bought your health insurance exactly like you buy any other insurance policy you want to. I don't know how you could possibly object to that. Let's take Realtors, for instance. Almost all realty shops are small businesses. In our community, 10 or 15 people would be a large realty store. There are over 500,000 Realtors in America. If they could come together as an association and buy their insurance through that exchange or through that association, I should say, preexisting conditions would go away. It's just not an issue if you've got 100,000, 200,000 people.

People talk about the FEHBP, the plan that the Federal Government has. That is the same thing. You have 9 million people in that plan. You share those risks, and you can then negotiate lower rates.

Another thing I think that we need to talk about tonight are health savings accounts. I want to talk about that for just a minute because most people don't really understand it. You hear it's just for rich people and so on. That's a big argument you hear. Let me explain to people what a health savings account really is.

You are given money, whatever the number is. The way we've done since World War II is that we've gotten our insurance and we pay a small copay or deductible, and it is 80 percent up to a certain point and then it's 100 percent after that. Well, that means at the end of the year, if you have been totally well, the insurance company keeps all your money. That's your money you are paying in, and you are getting some of that in lieu of a salary. What that HSA does is, let's say you put $3,000 or $5,000 in. I have had a health savings account, and we put $5,000 in that health savings account. If you got sick and used the $5,000, you would pay 100 percent after that. So that is my money I am dealing with. At the end of the year, if I have been healthy, I have had a healthy lifestyle, I don't smoke, I exercise, I eat well, take care of myself, I get to keep the money. I roll it over, and then next year I can use it. And after a number of years, you may have many thousands of dollars that you can use for long-term care.

Now, again, the argument I hear is that only rich people do that. Well, let's look at my own office. We have 300 or so people that get insurance through our medical practice, and 84 percent use a health savings account. They manage their own health care dollars. They like it a lot because they then become negotiators for their health care costs. They come to my office, and they may negotiate a price for a visit. They may go to whatever procedure they may have. They may go to the hospital and say, I want your lowest price, and they can get that by negotiations, and that will bend the cost curve down. What continually makes the cost curve go up is that we're shielded from all the costs of the health care.

Mr. GINGREY of Georgia. Dr. ROE, if you will yield back, and I think you make a good point. And I hear the same argument, Well, only people that are well-to-do, well-off, high-income people can afford to have a health savings account in combination, Mr. Speaker, with that low monthly premium and a high deductible that Dr. ROE just explained so well. But I have seen statistics, and I think they're accurate, that 50 percent of people that have these high deductible, low monthly premium combined with a health savings account make less than $50,000 a year. And some 75 percent of them make less than $75,000 or $80,000 a year. So we're not talking about wealthy people. I think Dr. ROE makes a good point.

By the way, Mr. Speaker, as I was reading in the Associated Press about what the President might include tomorrow, these four things I did ridicule a bit, this idea of combating waste, fraud, and abuse with fake patients. I have embellished or maybe overstated, but I wanted to make a point, Mr. Speaker. But as far as expansion of health savings accounts, I say to the President, Kudos, Mr. President. I am looking forward to hearing about that, and I hope that this report from the Associated Press is true.

I also hope, Mr. President, that the report about expanding the medical liability reform is true, although I would guess that it doesn't go nearly far enough, because this report, if it's accurate, Mr. Speaker, says instead of $23 million worth of grants to States to enact pilot programs on alternative ways of dealing with medical liability issues, it increases that amount to $50 million. Well, that's not much, and that's not really, I don't think—and I think Dr. ROE would agree with me—going nearly far enough to do what we need to do in regard to caps on pain and suffering judgments, which sometimes can be in the millions of dollars in a frivolous case.

And then a couple of other issues, Mr. Speaker, regarding medical liability reform. The defendant in a medical malpractice case could include somebody that was just covering—let's say as an example, Dr. ROE has a patient and asked Dr. GINGREY to step in and say hello to that patient on Sunday morning while Dr. ROE takes his family to church, and Dr. ROE is going to operate on that patient the next day. Dr.

GINGREY just walks by and says hello to the patient and lets her know that Dr. ROE will be in later in the evening, and that's the only contact that Dr. GINGREY has with this particular patient. Well, if something, Mr. Speaker—and it's not likely that anything would go wrong under the care of a doctor like Dr. ROE, but sometimes things do, and that Dr. GINGREY who just really had essentially nothing to do with the patient's care would be drug into court. And if he or she had the deepest pockets and the most liability coverage, then they would be the ones that would be responsible for most of the judgment and settlement or whatever. So we need some robust reform. And I hope that the President, Mr. Speaker, is talking about that.

I yield back to my friend to see what his thoughts are on that.

Mr. ROE of Tennessee. I thank the gentleman for yielding. I will just point out the California experiment. They did caps on pain and suffering in 1976, and premiums across the country for malpractice have gone up over 1,000 percent during that time. In California, it was about 300 percent. So it's been a huge decrease. Texas was similar. They have had a 30 to 50 percent reduction in malpractice premiums. And doctors—especially high-risk doctors like yourself and myself—many counties in Texas now have an obstetrician which before they did not have. Over half the counties in the State of Tennessee do not have an OB/GYN doctor in the county. So it is an access inequality problem when you can't get to a doctor. And many of our physicians are leaving the practice, which is very worrisome, because you want your most experienced people staying with it.

We have another problem, I think, with this plan. I do believe that from what I have heard in my own district, there is no question. I came out of church the week before Christmas, and one of my friends there said, Doc, he said to me, What's the Senate going to do with this health care bill? This is after the House had passed it, and it was about Christmas Eve when they were getting ready to vote. And I said, Well, I think that they're going to try to fix it. He grabbed me by my shirt, by my coat lapels, and he said, You fix your cat. You kill this bill. What he was saying was that this comprehensive, almost incomprehensible bill needed to be shelved, and we needed to start from scratch and go all over.

I think last week was a start, but it was a year too late. You had so many people that had put their neck out and said this absolutely has to be in a bill when it didn't have to be. I can think of four or five things we ought to be able to agree on in a minute, and those would be selling across State lines. I think certainly forming association health plans, doing away with preexisting conditions. I think we all can agree on that. I think meaningful malpractice reform we can agree on. I think letting young people stay on their parents' health plan until age 27. I think just signing up people who currently are eligible for the current programs we already have. Those are five things right there that we ought to be able to agree on in a minute and we can do.

Mr. GINGREY of Georgia. Dr. ROE, yielding back to me for a second, we've already talked about the health savings plans and expanding that and allowing people—if there still is an exchange, and you and I have talked about it, Mr. Speaker. Dr. ROE and I have talked about it, and I hope our colleagues understand this. We don't think that we have to have this exchange, this expensive exchange where you have to subsidize people's premiums. That's how the President was able to say last week, Mr. Speaker, that 47 percent of people in the exchange will be paying less than they currently are for their health insurance. Well, yeah, they are paying less out of their pockets, but they're reaching in everybody else's pockets—John Q. Taxpayer—to help them pay those premiums. So really when you do a little fact check on that, you find that most people under that plan are going to end up paying more.

And what Dr. ROE is talking about in the four or five things he mentioned, of course, even if you had an exchange, you shouldn't say to people that the only kind of policy that they can buy is a first dollar coverage, the most expensive kind of policy, when young people, healthy people and people who are just out of college or just out of high school or just back from the military and they are trying to pay for a car, they're trying to rent an apartment or buy a little starter home, or buy an engagement ring for their fiancee, and the last thing they can afford is $15,000 a year for a first dollar coverage health insurance plan that they don't even need. So what's still in the bill, it prohibits a person from having one of these plans.

Mr. ROE of Tennessee. Would the gentleman yield?

Mr. GINGREY of Georgia. It's counterintuitive, isn't it, Dr. ROE?

And I yield back to you.

□ 2045

Mr. ROE of Tennessee. One of the things that this plan does, it mandates a certain level of coverage. You have to purchase a certain level of coverage, and it is a fairly expensive piece of coverage. An example would be for fertility. I can assure you that in my family, we don't need that coverage. I should be able to purchase the coverage that I need. There are issues in there that I just don't need any more. For example, pregnancy coverage is something I don't need. I should be able to go buy, or a person should be able to go buy, just like when they buy the homeowner's policy that they need, that is what they purchase. You should be able to do the same thing for health insurance.

That is one of the problems with mandates. Some States have as many as 60 State mandates that you have to have in an insurance policy to sell insurance in that State. One of the problems with it is if you are allowed to buy across State lines, you can go buy a policy that fits your needs and your family's needs. You make that decision; the government doesn't make it for you.

Mr. GINGREY of Georgia. That is exactly right, Dr. ROE. I have a daughter who lives in the great State of New York. Her health insurance policy covers so much more than many of the policies cover in the State of Georgia, for example. And it is much, much, more expensive as a result of that. So Dr. ROE makes a good point of buying across State lines.

One thing before our time expires, Mr. Speaker, I want to just say again that hope springs eternal. I don't know what the President is going to say to us tomorrow, but I hope that I like what I hear because the American people need relief. But as we stand here tonight, what is still in these bills? Well, a government takeover, that is one thing. Price controls is another. Individual and employer mandates, and I don't know that it is really even constitutional to say to an individual in this country you, under the penalty of law, fines, and jail time, have to buy health insurance. We hope they do, and we hope we create the environment where we can bring down the price and people can afford—maybe it is a health savings account combined with a high deductible, low monthly premium, but to hold a gun to their head and say they have to do it, no, that is not right. That is not constitutional.

In the bill, there is no meaningful medical liability reform. Again, hope springs eternal, but the bill puts Washington bureaucrats in charge of defining quality health care. That is where those 32 new bureaucracies do their work. It cuts $500 billion over all Medicare, but $120 billion of that is cut out of Medicare Advantage, and 20 percent of our seniors get their care from Medicare Advantage. Why do they call it Advantage? Because it is an advantage. It covers wellness. It does screening, appropriate screening. It keeps people healthy so they are not spending all of that money in the last weeks or months of their life.

Finally, this bill raises taxes to pay for new entitlement programs, and it gives the government-run plan a beachhead to eliminate the private insurance market. And, unfortunately, many of our colleagues, Mr. Speaker, have said it loud and clear, whether members of Energy and Commerce, or Ways and Means, or Education and Labor, that they want the government to take over, just like it exists in Great Britain or Canada or other countries. The American people don't want that. They want us to do something in an incremental way, and I think we can do it and do it in a bipartisan way.

Mr. ROE of Tennessee. Just a very short comment. This weekend, Dr. GINGREY, Mr. Speaker, I had three friends, people I know, diagnosed with some very serious illnesses. It just happened. These three men that I know extremely well, all of them, are getting the highest quality care anywhere in the world, and they don't have to go far from home to get it. I think one of the things that the American health care system has brought to us are new innovations, lengthening of our life span, and the procedures that are done today to extend and improve the quality of life. I am glad to hear no longer, and I heard it for a year, and it was very bothersome and troublesome to me, to hear the other side talk about how bad health care was in America. We certainly have a problem getting health care at an affordable price to all of our citizens, there is no question that is true, but the care that everyone gets is good care.

I can tell you that I have done it myself for people who couldn't pay. And I would stand here and hear people talk, and I am one of the few people on this House floor who had to get up and go to the emergency room at 3 in the morning and see a patient who doesn't have health insurance and try to work him through a system and get them care. It isn't easy. We can do better, and we sure can do better than this bill right here.

Mr. GINGREY of Georgia. I thank Dr. ROE for being with me tonight, Mr. Speaker. There are 14 health care providers on the Republican side. Ten of them are M.D.s. There are five M.D.s on the Democratic side. We have two doctors in the Senate. We probably have 500 years in clinical experience in the aggregate. Let us help.

In closing, I want to refer to my colleague who was here a number of years ago, Dr. Roy Rowland, a member of this body when the Democrats were in the majority. Back in the early 1990s, Dr. Rowland, a family practitioner from Dublin, Georgia, he had a bipartisan bill back then that he worked very closely on with his Democratic colleagues and his Republican colleagues, and he presented that bill. I think it was called the Bipartisan Health Reform Act of 1994, and he offered that in lieu of HillaryCare. Unfortunately, the Democratic majority didn't accept it. Don't make the same mistake this time, Mr. President. Let's do it in a bipartisan way and in a small, incremental way.

BLUEPRINT FOR RECOVERY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. BRALEY) is recognized for 60 minutes as the designee of the majority leader.

Mr. BRALEY of Iowa. Mr. Speaker, I was very proud to found the Populist Caucus with a large group of my friends in the Democratic Caucus to focus on economic issues that affect Americans who either make up the middle class or are striving to enter the middle class. We all know that our country has historically been at its best when we have had a large middle class and our economic policies reflect middle class values, and that is why when we decided to settle upon our founding principles, we decided that we wanted to fight for families by providing them access to quality, affordable health care; to provide them and their children with the type of world class education they will need to compete in a global economy; to make sure that we have a fair wage system for all employees in this country; to make sure that our trade policies provide a level playing field to American workers and American manufacturers who compete with trading partners who just frankly don't quite live up to our standards, whether it is child labor, exploitation of workers, environmental issues, those are the types of issues that we want to focus on as we chart a new future for this country to promote and expand the middle class that we all are so proud to have been a part of.

One of the things that we talked about as we were trying to dig ourselves out of the greatest economic crisis since the Great Depression was what type of a blueprint for recovery we wanted to offer to the American people that was going to be a reflection of the values that we grew up with and give a strong message that, after a bailing out Wall Street, the American taxpayers deserved help on Main Street, and that it was not unreasonable to ask the very people on Wall Street who got us into this mess to help pay for the tab on helping bail out Main Street.

I am proud to be joined by my friends, the gentlewoman from Ohio (Ms. SUTTON) and the gentleman from Wisconsin (Mr. KAGEN), but one of the things that I want to talk about at the beginning is the things that we hear over and over back in our district, because all of us have been out talking to our constituents, going to town hall meetings, Congress on Your Corner and the other events, and the one thing I hear from my constituents over and over is this question: When do I get my bailout?

This is a legitimate question that Americans deserve an answer to from Democrats and Republicans, because if you are somebody who has lost your job or you've lost your home or you've lost your business or you've lost your health care coverage during this crisis, you need to know what is my Federal Government doing to help me out. So when we talk about our response, we are going to do it by talking about these three core values: The Populist Caucus wants to find a blueprint for recovery that is going to spur job creation; it is going to implement fair compensation for executives who helped put us in this problem; and, finally, bring an end to excessive Wall Street speculation that drove our economy and drove the global economy off the cliff and put us into this deep hole that we have been digging ourselves out of.

So as millions of middle class families look to us and ask when their recovery effort will bring relief to their town on their street, they deserve to know what we are going to be doing to spur job creation, insist on fair executive compensation, and end speculation on Wall Street.

Now, one of the things that we know is that it is very common for politicians and groups across the political spectrum to try to claim the populist mantle. But let me tell you, and I am going to let my colleagues expand on this, the Populist Caucus that we all came together to found was not based upon a bunch of people running through the streets with torches and pitchforks asking for blood. We are there because the problems of the middle class are real. The concerns of our constituents reflect the concerns of America, and we want to come together and talk about serious answers to real problems to help change the lives of middle class Americans.

So with that, I am going to yield to my colleague from Ohio before I yield to my colleague from Wisconsin to talk about some of the critical economic issues she is hearing about from her constituents and why this Populist Caucus response is so critical moving forward.

Ms. SUTTON. I thank the gentleman for yielding, and for your strong leadership of the Populist Caucus and the mission that we are on to restore the promise of the middle class, to stand up for the middle class, and to stand up for those who aspire to the middle class, to make our country work for those folks who are aspiring to the middle class.

We are not something that is complicated. The Populist Caucus believes that strong, immediate action must be taken to create jobs in the United States and to put an end to the excessive greed of Wall Street that brought us to the brink of disaster. And so I am proud to join with you, Representative BRALEY and Representative KAGEN, to stand up and speak to the American people about the fight we are waging on their behalf because that's what being a populist is really about.

When I go home, as when you go home, I hear all about the need to facilitate employment opportunity for the people that I represent in northeast Ohio. All they want is a government that will work with them and for them, to facilitate those jobs, jobs, jobs that are so needed out there. We have heard recently that there is a recovery underway, and there are some signs of recovery, and we have certainly seen a lot of signs of recovery on Wall Street, but there can be no such thing as a jobless recovery, and we have started to hear that term bounced about.

The Populist Caucus is here to say that there is no recovery if our folks

don't have jobs, because this is not just about a country that stands up for the well-to-do. This is the People's House. This body is about making sure people have opportunity, ordinary people have opportunity. And what we will discuss, and when we look back a little bit, it becomes apparent that the economy, even before the excesses of Wall Street came to their full fruition, even before the economy was not working for ordinary Americans, we saw a decade of flat wages in this country while we continued to see skyrocketing health care costs. We saw the GDP rise, and we saw productivity rise in this country, but the American people who were doing the work were not sharing in the prosperity.

□ 2100

So we look forward to developing policies—and that's what the blueprint is all about—that will help deliver sustainable, quality jobs for the American people that will fairly compensate them and put an end to the excessive and disparate compensation that those at the top of the food chain have been taking for far too many years at the expense of everyone else.

And so with that, I yield back to the gentleman. And I thank you again for your leadership; it's been stellar on this subject. I look forward to the mission ahead.

Mr. BRALEY of Iowa. I thank the gentlewoman for yielding.

I think one of the things that we've heard a lot about, Dr. KAGEN, is we've heard people try to explain what went wrong on Wall Street and this concept that sometimes big financial institutions are just too big to fail. Now, I don't know how it is up in northeastern Wisconsin; but in Iowa, if something is too big to fail, it's just too big. So maybe you can help enlighten us a little bit about some of the economic policies that we pursued as a country before Barack Obama became President that have contributed to the enormous challenge we have faced this past year in trying to stabilize the economy before we moved on to a broader response to real meaningful financial reform.

Mr. KAGEN. I thank the gentleman for yielding and for putting together the Populist Caucus.

Once again, as Mr. BRALEY has pointed out, we're populists because we are standing with our feet on the factory floor. We don't have our heads sitting in a board room on a corporation on Wall Street. We do not share their values. We have those working class values that ordinary people have.

This battle that we're in now, this battle for America's future to create the jobs that we need to work our way through today's troubled times and work our way back into prosperity, this battle that we're in didn't just start 10 years ago, it just didn't begin with 10 years of net zero job creation. I will take us back a century because it's really not 2010, it's 1910 all over again. In the words of Teddy Roosevelt, who, on August 31, 1910, in his speech entitled, ''The New Nationalism,'' set forward the idea of the progressive movement and the Populist Caucus—and I will quote him in part because it was a very long speech:

''Exactly as the special interests of cotton and slavery threatened our political integrity before the Civil War, so now the great special business interests too often control and corrupt the men and methods of government for their own profit. We must drive the special interests out of politics; that is one of our tasks today. Every special interest is entitled to justice, full, fair and complete. And now mind you, if there were any attempt by mob violence to plunder and work harm to the special interests, whatever it may be, that I most dislike. And the wealthy man, whomsoever he may be, for whom I have the greatest contempt, I would fight for him, and you would if you were worth your salt. He should have justice, for every special interest is entitled to justice, but not one is entitled to a vote in Congress, to a voice on the bench, or to representation in any public office. The Constitution guarantees protection to property, and we must make that promise good; but it does not give the right of suffrage to any corporation.'' We the people have rights, corporations don't.

Now, over the short period of history that we've been here in Congress, beginning in 2006, with Representatives SUTTON and BRALEY and WELCH, we took forward some ideas that we gathered from people. And everywhere I go in Wisconsin, Mr. BRALEY, people are telling me the same thing: We want our money back, we want our jobs back. For too long, our jobs have been shipped overseas. Instead of our values being shipped overseas, it's been our jobs. And here on my left is a short picture of where the jobs have gone.

During the previous administration under George Bush, just before President Obama came into office in January, we had lost 700,000-plus jobs; this January, 2010, 20,000. We are moving up in the right direction. And, yes, we need to generate more jobs, but how did we get into this mess that started really back in 1910 and we're not done yet? We've had two wars at the same time without paying a dime for it; we've had two tax cuts to the rich without paying for a penny; we've had a $400 billion handout to the big drug companies on Wall Street without paying a nickel for it. And then at the tail end of the last administration we had a looting of the United States Treasury of nearly $1 trillion while they fed their friends on Wall Street, again, without paying a single dime for it. Well, in Wisconsin, much like in Ohio and everywhere else across the country, including Iowa, we have a saying, you know, there is no free lunch, we have to pay our bills.

So we have to pay our bills, we have to live within our means; and to do that, the Populist Caucus has put forward a blueprint for America's future, and I yield back my time.

Mr. BRALEY of Iowa. Well, that's a great segue because we not only are talking about values; we are talking about solutions. We're talking about legislation that is going to help us create jobs by generating new revenues, not putting this on the back of the middle class, but helping the people who got us into this mess assume some of the responsibility. And I think one of the cornerstones of our blueprint for recovery is this issue of fair compensation. And my good friend from Vermont, Congressman PETER WELCH, has introduced a bill called Wall Street Bonus Tax Act. I am going to let him explain what that bill does and how it helps achieve this blueprint for recovery by putting some incentives for Wall Street to help rebuild Main Street.

Congressman WELCH, I yield to you at this time.

Mr. WELCH. Thank you very much. I appreciate the opportunity to speak about trying to get jobs to start going up along with the stock market.

You know, it was only 1 year ago in one week that Wall Street, the stock market was crashed to its lowest level in years. In that past year, it has recovered; but while it has recovered, unemployment is still hovering in the range of 10 percent, underemployment is in the range of 17 or 18 percent. There are over 27 million Americans who are seeking work or not working enough, and we are not going to have an economic recovery until those folks are back to work.

How did this happen? It happened, we know, because of the excessive lending, reckless lending largely engineered by Wall Street firms that stood to gain an awful lot of profit. What happened? We, the American taxpayer, had to bail out Wall Street, $750 billion. People didn't want to do it, but they had a gun to the head of the American economy, and the collateral damage of inaction would have been much more havoc to people's pensions, to unemployment, and to Main Street. But 1 year later, Wall Street is back, but lending by Wall Street to our small businesses has gone down, not up. If we are going to get jobs back, if we are going to get people back to work, we need our banks—and it tends to be our local banks—to start doing some lending. They have been doing the job, but Wall Street hasn't.

What they've been doing in the past year—and quite successfully, they're very good at it—is returning to the casino economy. They've made an enormous amount of money by buying and selling derivatives, commodities, and currencies. And how did they do it? With the help of the American taxpayer: one, the $750 billion TARP transfer; second, the open window at the Federal Reserve where those banks had access to 0 percent interest money. Now, they've been so successful that they have set aside this past year for their bonus pool $150 billion.

They had three choices as to what they could do with that money: one, they could have added it to their balance sheets, strengthened it in order to basically fight another day so that if there was a downturn, they would be able to absorb it themselves and not come hat in hand to the taxpayer. Second, they could have lent it out. If you're getting 0 percent interest money from the Fed, you've got a local small business or a young family trying to buy their first home and you lend it out at 5 or 6 percent, most people would say that's a pretty good return. They didn't do that.

The third thing that they could do—and unfortunately they did do—is decide to put that money in their pocket with a bonus. That's good for them, but it certainly hasn't been good for the American economy.

So our legislation, the Wall Street Bonus Act, is very simple. It says that all those bonuses on Wall Street that went to banks that received taxpayer assistance through the TARP program, those bonuses above $50,000 would be taxed at 50 percent. And every single dollar that was collected would then be made available to the Small Business Administration to work with our local banks that have been making loans to lend to our job-creating small businesses around the country. So we would be taking a dividend for and on behalf of the taxpayers who basically put that money up in the first place, and we would be specifically making that money available for lending with a partnership of the SBA and our small banks.

Now, this is important for a couple of reasons: number one, the money that was made on Wall Street, that $150 billion bonus pool, yes, it was smart people buying and selling and trading derivatives, but the question for us is, when we put taxpayer dollars to work, is it good for the American taxpayer? Is it good for the Main Street economy? And, obviously, if it just goes into the pockets of the Wall Street traders, it does a lot of good for them, but no good for our broad economy; and our fundamental responsibility is to help people get back to work.

The second is that the bonus culture really is very destructive because what it encourages is placing a big bet, bet red, bet black, if you win, you make a lot of money, if you lose, as we've seen, the banks can come to the taxpayer and get bailed out. And people are furious about that, rightly so. So it is time for us to make a basic statement here that will reward investment, will reward hard work, but we're not going to have the taxpayers be on the hook for people who want to gamble.

The final thing really is this: we face a question about what business model we want America to follow. Do we want a business model where you make money by financial engineering, by having the quickest computer trading program, by a lucky bet on a speculation? Or do we want a business model where folks make their money by showing up for work, by investing in their community, by hard work for the long term, by being satisfied with a steady and sustainable rate of return and profit—which we need in a capitalist economy—by treating their workers right and by paying our fair share? That's the question.

The Populist Caucus is very strongly united in the view that hard work should be rewarded, that entrepreneurs, job creators, people who make money because they invest in their economy, because they invest in their workers, that is to be rewarded and encouraged. In fact, we have to do it if we're going to have an economy that works and expands rather than an economy that is based on flipping trades, about speculation, and financial engineering.

So this Wall Street Bonus Act would put some money into lending and help our small entrepreneurs. And I am very grateful that we have the strong support of so many Members of Congress for this.

I yield back.

Mr. BRALEY of Iowa. Well, I thank you for those very insightful comments.

I think everything that we talked about earlier on why we formed the Populist Caucus, to promote and expand the middle class by emphasizing economic principles, that will create policies that help that to happen. We know that small businesses make up a huge part of the middle class. We also know that they are a huge driving engine for creating new jobs in our economy.

That is why I am happy to recognize my good friend from Florida, RON KLEIN, who has been a strong advocate for small businesses during his time in Congress and is going to be sharing with us some of the things that we can work on together to try to create the types of incentives that will help small businesses take the risk with sound economic principles and lead us on a path of job recovery.

With that, I would yield to my friend.

Mr. KLEIN of Florida. Well, I thank the gentleman from Iowa. And as always, it's great to be here with our friends from the Midwest and from the South. We represent the whole country, and it's such a great thing to be here, as we all got elected a couple of years ago and we have learned and listened very closely to what people are saying back home.

I know the gentleman from Wisconsin talked about jobs and sort of where we've come from, and I know the gentlelady from Ohio did the same thing. The ''where we've come from'' part didn't just start in the last 13, 14 months; unfortunately, it has been going on for a long time. A lot of that was decisions made in some cases by government, sort of incentivizing big decisions to send business overseas, encourage that through tax policy, and some of it has just been people making decisions that we've lost that American ingenuity.

Well, we haven't lost it, we all know that. This is the greatest country in the history of the world and our economy is the strongest. And, yes, we are being challenged right now, but this is when we are at our best. And that's the exciting part. This is a moment for us all to come together, put our arms around each other and say, what's great about America? Our worth ethic, our ingenuity, our technology, our innovation, this is what makes it. But we have to recognize that some of these policies—certainly when this administration started, a mere 13 months ago, we were losing 720 jobs per month. That's incredible. Now we are in a place where fortunately it's moving in the right direction—I think it was 20,000 or 30,000 jobs per month. Now, that's not good, we want to gain, we want to be at 100,000-plus; but, boy, that is certainly moving in the right direction, and that is what I am glad to see.

□ 2115

Now, I come from a State, Florida, which had 15 years of incredible prosperity, a lot of growth. For the people in my community, their property values went up, and their businesses were expanding. All good. The American Dream was happening over and over and over again. Yet, when the banks stopped lending, as we've been talking about, well, guess what? The merry-go-round stopped, and a lot of people are hurting right now. They are hurting psychologically; they are hurting emotionally; they are hurting physically.

The worst thing, as I know the gentlelady from Ohio talks about, is not to have that job, not to have that ability as a provider, a man or woman of a household, to bring that paycheck home, to get up in the morning and know you're going to do something productive and to make that example for your children. We want to make sure that people have that opportunity, and that's what we are working toward right now.

Well, as to this ''spur job creation'' part of the Blueprint for Recovery, there are two points I want to bring up:

One is the ''buy American'' concept. It's real simple. Every opportunity, when it comes to sourcing goods, services, and things like that, needs to be done in the United States. If there is anything that we can certainly promote, it's our providing those goods and services—our local businesses. Your neighbor down the street, one you go to a church, to a synagogue, or to a supermarket with or one you coach Little League with is someone who works in the community. We want to give that businessperson and his or her employees or the people he works with an opportunity to be that source for government contracts and everything else—not to go overseas. We all understand the issue of free trade and all that, but free trade is fair trade, and

we want to make sure that, in this country, we are doing everything we can to promote our businesses first. It's real simple. I think most Americans get it. I think we've gotten a little off track over this thing, but that's a principle we need to pass and support and hold to.

Second—

Mr. BRALEY of Iowa. Will the gentleman yield on that?

Mr. KLEIN of Florida. Absolutely.

Mr. BRALEY of Iowa. I think there is a big misperception that our trading partners and our competitors in the global economy don't have any ''buy Chinese'' trade policies or ''buy Japan'' trade policies; is that true?

Mr. KLEIN of Florida. Absolutely.

We all understand the real game here, and it's not just about what they call ''tariffs.'' You may have heard of a ''tariff.'' That's a tax. If you bring something into a country, there is a tax to make it less competitive. Well, there are a lot of other ways to stop our wonderful American goods from going to other countries. They have lots of obstacles. It goes on in the auto industry all the time with emissions and lots of things that just make it practically impossible for us to sell.

Now, we can't force someone in Korea to buy one of our cars, but we should give him that choice. If we have the best products, consumers will buy our products, just like some products come into this country, and consumers make a choice. Right now, there are a lot of things going on to stop our products from going to other countries.

Mr. KAGEN. Will the gentleman yield for a question?

Mr. KLEIN of Florida. Sure.

Mr. KAGEN. In Wisconsin, we have got a number of companies which have run into problems with regard to ''buy American.'' We have buy American clauses in our government contracts today. Yet Miller Electric Company, which makes the finest welding apparatus in the world, put in a bid for a shipbuilding company, a government contract for the Navy. This foreign-owned shipbuilding corporation down in the South decided, instead of buying American, they would use a loophole, and they bought something from a competitor from Germany.

Can you explain how this bill, this Buy American Improvement Act, would close the loopholes in these contracts?

Mr. KLEIN of Florida. That's exactly what it will do. I thank the gentleman for that example.

I have an example in my community, a company called Cross Match. It's a technology company. They make fingerprint equipment and things like that. They were bidding for a census contract, and a company that was sourcing it through a Korean company came in with all sorts of—not machinations—I would say, loopholes. This bill closes the loopholes, and I think that's exactly what we are all interested in.

The second thing I want to touch on, if I can, which the gentleman from Iowa (Mr. BRALEY) just talked about, is something which, I think, we all understand—the lifeblood of our economy. That is access to capital, to bank loans—to small business loans.

One thing I can say about this Congress is that I am really proud of the efforts that have been brought about through this Congress to make SBA, Small Business Administration, loans much easier to get. At this point, they are 90 percent guaranteed by the government. If you are a qualified veteran, 95 percent is guaranteed. These are good quality loans, but these aren't loans that are made by the government. They are made by banks, and they are guaranteed by the government.

We need to get our banks to start focusing on making these loans and other commercial loans. We are not asking banks to make ridiculous loans like some of those that took place before which were not properly collateralized. Yet, for good, creditworthy people, there are loads of small businesses that have long histories in our local communities. They know the loan officers at the banks, and they can work together and make loans happen.

One of the ideas being suggested is to take some of the payback money from some of the big banks that paid some of this money back and start bringing it down to the local level—to Main Street, to small banks, to community banks. We're not just talking about giving them the money like it happened before. Instead, it's an incentive to make the loans. If they make the loans, then they get discounts on the interest rates. This is what we have to do.

Mr. BRALEY of Iowa. Will the gentleman yield for another question?

Mr. KLEIN of Florida. Absolutely.

Mr. BRALEY of Iowa. One of the things that is frustrating to many Americans is they just don't understand how their government can actually help stimulate economic development.

One of the best examples of this is, when I first came to Congress, I served on the Small Business Committee. I was fortunate enough to chair the Contracting and Technology Subcommittee, and this is when the previous administration was in control of the executive branch. As I talked to people on the committee, it shocked me to learn that the former administrator of the Small Business Administration saw it as his job to bring about the end of the Small Business Administration. Many of the policies were designed to contract the agency whose sole purpose was to try to stimulate small business growth and development.

So, when we are talking about how we create capital and provide economic incentives for small businesses, we have come a long way in 3 years to get to the point where this agency is trying to fulfill its basic purpose, and I think that is going to be critical for achieving the types of results you've just talked about.

I hope you can enlighten us further on this.

Mr. KLEIN of Florida. I'll just conclude. There is so much more that everyone wants to say here, and there is so much to add. That's what's getting exciting about this work we're doing here.

Small businesses are the lifeblood of our economy. I mean many parts of our country do not have a lot of Fortune 500 companies. Those are great companies, and they add a lot of value to our country, but small businesses are going to be the businesses that get us out of this downturn, and we are beginning to see some good things. Bank lending is better than it was, but we need to encourage and find ways to make sure that the banks are lending so our small businesses can buy up some inventory, can buy up that capital equipment they need—a little deferred maintenance—and hire more people. That's the bottom line.

I just want to thank the gentleman for having this ''spur job creation'' because, I think, this is a huge part of how we are going to get our country back on track.

Mr. BRALEY of Iowa. Well, I think one of the things we know is that, in order to spur job creation, you have got to be able to have revenues that will help people create jobs through incentives that will help them take that risk.

One of the important things that the Populist Caucus' Blueprint for Recovery does is it talks not only about how you change behavior through the policies you implement but also how you transfer some of the burden from Main Street, which has been suffering so much in this recession, to the very speculators whose wild gambling, which is what most economists call what they were doing, drove us over the cliff.

That is why one of the key elements of this ''ending speculation'' piece is one of the bills introduced by another vice Chair of the Populist Caucus, Congressman PETER DEFAZIO, who introduced his Let Wall Street Pay for the Restoration of Main Street Act. This is a very simple concept that existed in this country for almost 60 years, and it worked very successfully, including during the Great Depression.

What it says is that, if you are trading in excessive transactions on Wall Street, we are going to ask you to pay a small transaction fee on those high-volume trades so that we will have an incentive to keep you from engaging in excessive speculation that puts all of us at risk. His transaction fee is estimated to create somewhere between $100 billion and $150 billion in new revenues that can be used for two basic purposes:

One is job creation, which is what we all agree is going to create a huge emphasis for an economic recovery, because when people go back to work,

they not only pay Federal taxes and reduce our burden at the Federal Treasury; they pay State and local taxes, too, to help relieve the burden on our States and cities. This is how you create economic incentives to change corporate behavior from excessive speculation, and this is also how you provide new revenues to stimulate economic development and help to reduce the deficit.

I am going to ask one of our newest members and youngest members of the Populist Caucus, our good friend from Virginia, TOM PERRIELLO, to talk about the importance of having a bill like this to guide us in a new direction for economic recovery and what that means to the people in his district of Virginia.

With that, I'll yield to my good friend.

Mr. PERRIELLO. Well, thank you very much for that news and for the news from our friends in the house of lords—I mean the Senate—that has just come this way. It's very, very exciting because we, as a caucus, have been fighting so hard to shift the focus from speculation on Wall Street to job creation on Main Street. We understand that two out of every three new jobs in this country are coming from small business. Now, they may not make the headlines. It may mean you have lots and lots of small businesses, but that's the engine of our growth.

One thing we still do better than any other country in the world is innovate. We are better entrepreneurs. We are really good at this. It's within our small businesses that we see this innovation taking place, and we need to make sure that we are giving the kind of support that small businesses need, whether that's through direct lending, whether that's through the suspension of capital gains tax for small business to bring nontraditional lenders in, or whether that's providing the infrastructure and the workforce development that allows those small businesses to flourish. We also need to understand that the phrase ''buy American'' should not be seen as bad language.

I think it's timely that we look at this extension because, while there are many policies out there which may seem fancy, sometimes we have to get back to the basics. We are within weeks of the new building season's beginning, the spring building season leading into the summer building season. There are thousands of small businesses around this country that have held on and have taken losses for 2 years, whether it has been the construction firms, the engineering firms, the supply stores that have supplied those guys, or whether it has been the diners where folks have gone to eat. If we are not building anything in this country, we will not continue this path of recovery that we have worked so hard to lay out.

This is a chance, and we need to act here in Washington with the same urgency that the previous Congress did when Wall Street was in trouble. Well, Main Street is in crisis, and we need to understand that we can rebuild this country. We may not see housing start to pick up this summer in the way that some would like, but we can rebuild our infrastructure, and we can reinvest in the existing building stock, whether that's municipal, commercial, or residential, through major retrofit programs.

It puts people to work in rebuilding America's competitive advantage, because what you understand, Mr. BRALEY, from your experience in Iowa and around this country is that we have to reinvent America's competitive advantage. We will outcompete the world, but we cannot do it solely through supporting the financial sector. We have to start building things, making things, and growing things again. We can still do that better than anyone in the world, but we need a trade policy, and we need a workforce development strategy. We need an economic development strategy that understands that those are things we can still do. There are sectors, like the energy sector, in which we can outcompete the world, but everyone else is not playing for second place. They are looking to do the same thing we are trying to do, but we can do it better.

This is our time. This recession right here, that we are starting to crawl out of, is an opportunity for us to reinvest, to rebuild that competitive advantage and to reemploy America in the work that so many in this room have worked so hard to do. There are families out there right now who are proud, hard-working people who are looking for jobs. We can work together across the aisle to make this happen, but we must have that commitment to basic commonsense things, like making sure we don't miss this summer's building season. We have that time, and we must have a deep sense of urgency because I know people out on Main Street do.

Mr. BRALEY of Iowa. I appreciate the gentleman's comments about investing in infrastructure because most of what I learned about the need for infrastructure improvements came when I was working for the Poweshiek County Secondary Roads Department to help pay my way through college.

One of the things that I learned was that, as you try to create opportunities for transportation improvements that are going to move goods, services, and people, you see a lot of trickle-down that happens from the Federal Government, to the State government, to the county government, to the city government as right-of-ways are transferred after they are abandoned for bigger and better infrastructure improvements like four-lane highways.

□ 2130

One of the cornerstones of our blueprint for recovery that deals with job creation is a bill introduced by Congresswoman ROSA DELAURO and cosponsored by one of the vice chairs of the Populist Caucus, our friend from Minnesota, KEITH ELLISON, the National Infrastructure Development Bank Act.

What it does is it creates an opportunity to take advantage of existing infrastructure needs by identifying about 47,500 jobs and $6.2 billion of potential economic activity that are currently ready, willing, and able to be acted upon, but because we have not had the opportunity to marry private development with public infrastructure projects, we are missing an opportunity to stimulate job growth through this National Infrastructure Bank.

So I would ask my colleagues who support investments in infrastructure improvements that cross the spectrum from expanding access to energy created by wind in the Midwest, by building out our ability to transfer that energy and electricity throughout the country, by building out our world broadband, by investing in roads, bridges, and public improvements, how this type of an investment development bank would make a difference in their districts.

I am going to yield to my friend from Ohio.

Ms. SUTTON. I thank the gentleman for yielding.

Infrastructure creates such ripple effects in our economy and spurs economic development and opportunity for the people that we represent. Every time I go home, people beg, Please, please, invest in our Nation's infrastructure. We know that the need is tremendous.

One of the bills, in addition to the National Infrastructure Bank bill, which I think we should talk about more, but you mentioned Representative DEFAZIO's bill, the bill entitled Let Wall Street Pay for the Restoration of Main Street Act. I think this is also a bill that deals with infrastructure, because when we get the money from those transaction fees of those risky trades that are something that we would really like to have cut back on, we are going to use it to invest in infrastructure and all the good that goes with it.

But we also have in that bill, and I think it is important to tell people, that part of the revenue that would come in in addition to that huge amount going to invest in Main Street, you know, Main Street, after all, is who bailed out Wall Street, and we didn't do it because we were fans of their behavior. We did it so they would start lending. As we discussed, they didn't start lending, so we need to continue to push until things are right. But also in that bill, there is a part of the revenues raised that are going to go to deficit reduction. So we often hear this argument that it is all about the deficit.

Well, it is about jobs and the deficit. In order to get rid of the deficit, people do have to have jobs. Frankly, obviously people need to have jobs, because

this is the United States of America, and that is the American dream, having a job and raising your family and aspiring to a quality of life that is second to none across this country. So, in that bill, in addition to putting money into infrastructure, we also take a piece of that money and let Wall Street help to pay down some of the deficits that were created by helping Wall Street get out of the mess that they were in.

So, back to the other bill that you mentioned, which is critically important, and you asked how important it was back in Ohio, in my district. It just can't be overstated. Just yesterday, I received a whole list of infrastructure projects that are ready to go that need funding.

The thing about infrastructure is that we all know that it can't be ignored indefinitely, right? But oftentimes we come to a place where we don't address it until a crisis occurs. And that doesn't make any sense either. So if we can put people to work doing that work that we know has to be done and spur greater economic development and recovery, why wouldn't we do that?

This National Infrastructure Bank legislation is a critical component of taking the idea, the concept that we all know makes sense, and really maybe that is what the Populist Caucus represents more than anything; it is about the common sense. People know what we need to do for our country, to strengthen the middle class and put people to work rebuilding our infrastructure. Other countries are building their infrastructure. They are investing massively in their infrastructure, because they know the value that it creates beyond the jobs that are put forth just in doing the construction.

With that, I yield back to the gentleman.

Mr. BRALEY of Iowa. I think that is a great opportunity to talk about the importance, because when I served on the Transportation and Infrastructure Committee in the 110th Congress, our chairman, the legendary JIM OBERSTAR, always reminded us that our global competitors are investing massive amounts in infrastructure development.

The European Union had a 5-year, $1 trillion infrastructure development plan. You look at China, which has just passed the United States as the leading consumer of automobiles, and you look at the ribbons of concrete that have been poured in that country to respond to growing consumer and commercial demand for transportation.

If we are competing with these people in a global market, Dr. KAGEN, we have to make similar types of commitments so that our infrastructure system can make us competitive. I know from visiting your district in northeast Wisconsin, it is a very spread out and remote area in some parts of your district, yet the constituents that you represent in those areas depend just as much on an infrastructure system as the people here in our Nation's Capital.

I yield for your comments.

Mr. KAGEN. I thank you. I will just summarize what everyone here on the House floor understands. We are about $2.1 trillion to $2.2 trillion behind in our investment in our infrastructure, our roads, our bridges, our schools, our wastewater treatment plants. What good would it be if we generate several million jobs, even 10 million jobs, when we manufacture things and then we don't have the railroads or have the highways and the water infrastructure to transmit our goods to the world's marketplace? So we are indeed several trillion dollars behind in our infrastructure development.

I will just point out one of the facts about the American Recovery and Reinvestment Act that few people realize. Apart from the fact that it was the largest tax cut in American history, little known is the fact that the transportation and infrastructure investment, which was only 4 percent of that amount of money we invested in America, generated 25 percent of the jobs.

Nearly 900,000 people are working because of that American Recovery and Reinvestment Act of 2009. It put people back to work in our infrastructure. And that multiplier is significant. For every person working in transportation, that money turns over many times over.

So let me just see if I get this straight, if I understand where we are going with our ideas about rewarding people or encouraging people with the taxation code.

If you are sitting in a boardroom on Wall Street and you are rewarding yourself for your failure with the taxpayers' money, according to the Populist Caucus, we would like to put a significant tax on that bonus and use that revenue and put it back into the American economy to generate small business activity through the SBA, put it back into people's hands.

We do believe that people are more important than profits. We should in fact reward work rather than wealth. If I understand the transfer tax on Wall Street speculators, it is one-quarter of one penny of each dollar being traded on nanosecond trades. This is not going to be a fee or a transfer tax placed on those who are speculating for the long-term investment. It is going to exclude any tax-favored retirement accounts, any HSA, Health Savings Account, any Education Savings Account, and would exclude the first $100,000 of your income generated from your investment in America's future on our American exchanges.

Some people have pushed back against that Wall Street transfer fee by saying then people will trade overseas. In London, which is the most active trading floor in the world, they do have a transfer fee twice what we are suggesting.

So, again, the idea is we want to use the Tax Code to reward people for their good activity. And, most especially, we want to use existing structures like our community banks, our credit unions, and regional banks to find the finances and credit necessary for small businesses once again to have access to the credit they need to generate the economic activity and generate the jobs.

Don't think for a minute that the Federal or State government can employ you and work our way through this recession with government-sponsored jobs. We can't do that. So it is the role of government to set up a system wherein you are rewarded for your work rather than your wealth. By focusing on our transportation and infrastructure needs, we can begin to generate millions and millions of jobs to do just that. We want people to stay in their own homes once again, rather than have this foreclosure crisis come back and bite us.

Mr. BRALEY of Iowa. I appreciate those observations. I want to engage a couple of my colleagues in a conversation about behavior modification on Wall Street. I am going to start with my friend from Vermont, because he served on the Oversight and Government Reform Committee in the last Congress when we had the hearing with the CEOs of AIG, trying to explain why they stood by and watched as their London financial services division drove this economy off a cliff by engaging in excess and speculative trading in high-risk credit default swaps and complex derivatives.

Now, one of the things we learned during that hearing from the economic experts who study those high-risk investments was that long before any of us came to Congress, Congress was confronted with the issue of how we provide some type of oversight of this highly complex and evolving marketplace, which at that time in the late 1990s was a small fraction of the $100 trillion marketplace it has become.

But what was most shocking to me as they testified was when they said Congress was trying to decide what are these products. In a way, they are like an insurance product, because they are an agreement to pay upon a contingent future event. But they are really not insurance, because otherwise we could regulate them through the State insurance commissioners. Then they said, Well, these are kind of like stock trading, so we can have this regulated by the Securities and Exchange Commission. But it is really not a stock transaction.

So, what is it? Well, about 10 percent of these products, those experts testified, if you remember, Mr. WELCH, were real insurance products. And these economists testified the other 90 percent were pure gambling, people trying to make money by turning over transactions, betting on the come that at some point when those commitments came due, they would be able to generate a profit without adding anything of value, other than risk and a possible payment in the future.

So, why is it necessary, when we are talking about ending excessive speculation, to get to the very core, not only of how you do that with a tax policy and with a transfer fee, but also how you deal with the financial oversight of the marketplace to make sure this never happens again?

Mr. WELCH. Well, I appreciate that. You know, really what it is about is whether banking is going to be an activity that is about lending money to businesses, small businesses, families, to buy their first home, or it is going to be a mechanism for financial speculation. And it is really two totally different models.

I want to just take up on what you were saying. We need a banking system. We need a strong banking system. We need local bankers who are actually engaged in their community, who can make judgments about who is good for a loan. I want to give you an example of the local bank and the Wall Street operation.

In St. Albans, Vermont, we have a small bank, People's Bank. The president of that bank, Rick Manahan, his desk is in the entry of the bank. If you walk in, you see all the teller windows. There is a big vestibule area, the public area. His desk is there. People do not have a hard time asking Rick what is going on. He knows the folks in his community.

His bank and his board of directors see a good day's work when, at the end of the day, they have been able to authorize a loan to a local business—it might be a retailer, it might be a construction company—knowing that that business is going to use that money to help create a local job. Or it is a young family getting started. They have to make a tough underwriting decision. But they know that family, and they know they are going to do their level best to be good for it. At the end of the day, a house has been sold, a family has got a new place to live, and they go home and sleep pretty good at night, knowing that they have made a real contribution in the community.

The other model, just to give you an example, one of our most esteemed Wall Street banks, is Goldman Sachs.

□ 2145

They have the best and brightest of folks doing the work there. But here's one of the things that they did—and it was very successful for them making money. They bought a mortgage origination company in the South. They hired 26, 30-year-old young people to go out, knock on doors, and sell mortgages. Generally, subprime mortgages that people couldn't afford and didn't need. They then brought those mortgages back to New York, and they bundled them into products that they then sold.

But before they sold them, they got the best and brightest MBAs to knock on the doors of the rating agencies and persuade the rating agencies that these toxic instruments were AAA. Then they went to their sales department and had them contact trusted investors, pension funds, and said, We've got some AAA products here. You ought to buy them. It's going to be a good return for your pensioners. And they sold them. Then they went to their trading room and they said, You know what? These are junk. How do we know? We sold them. And they bet short against the instruments they'd just sold long.

That would not happen at People's Trust in St. Albans, Vermont. They couldn't even imagine doing that, selling something that wasn't worth investing in. They couldn't do it. And I know that every single one of us, Republican and Democrat, have local bankers who've met that standard, where the goal is to serve the community. And they know that their responsibility with this trust that they have of depositor money is to put it to good work to build the economy.

Wall Street has a different point of view. Not that they're not necessary; they obviously are. But when they are helpful, they see that the work that they do should be in service of the work that Main Street does. You know, that's why with the reforms that we must implement, whether it's a bonus tax, whether it's a Consumer Product Safety Commission, whether it's tightening up on the lending regulations and derivative trading, all of that, the bottom line is really very simple: Is the banking system going to be there to serve us, or are we going to be there to serve the financial engineering of the banking system? That's the question that this Congress faces and America wants an answer to. I yield back.

Mr. BRALEY of Iowa. I thank the gentleman for your comments. We are just about out of time so I'm going to ask my friend from Florida for some closing comments, especially on this critical issue that affects the middle class homeowners, and that's the mortgage foreclosure crisis.

Mr. KLEIN of Florida. I want to thank the gentleman. Just sort of as an add-on to what we're talking about, we all know that homeownership in the United States is crucial. It's crucial for people knowing where to plant their investment. They're working hard over the years to make sure they have a place to live, and hopefully it will increase in appreciation. But that same description that Mr. WELCH just gave us about banking practices, in some cases resulted in, unfortunately, a whole lot of people getting in way over their heads, a whole lot of lending that shouldn't have never been lent in the first place, and the foreclosure situation is really bad in many places.

I witnessed something over the weekend in West Palm Beach. In the West Palm Beach Convention Center a group came into town and said, We are going to bring together the lenders who, in many cases, have not been answering the phone, the line is busy or people haven't been getting answers, along with people that are having these real big problems, they can't make their mortgage payments. It's not like they're totally out of it. They may have had a job that was earning $50,000 a year, and they lost it, and now they're earning $35,000. Or, maybe a two-income household that they want to stay there. And we, as Americans, want them to stay there, if they can. We don't want abandoned houses. It just puts more pressure on the local streets and the local community.

At this event over the weekend—it was running for 5 days, 24 hours a day—and all the major lenders were there, except for one. It was really interesting; 5,500 people were in this building at one time. I'd never seen anything like this. And they had the lenders sitting across the table, here to here, and they were actually ironing out one after another. One guy had an 11 percent mortgage. It was reduced to 5½ percent. His payment went from $2,100 to $1,300. And I asked him, Can you make do? He said, Yes. I'm keeping my house. I'm sleeping tonight. My children know they have a place, a roof over their head tonight.

Well, this has been frustrating, but help is on the way. Help is on the way. And I think that the model has now been created. It's working in different parts of the country. But I'm really gratified to see that some people in south Florida were given that opportunity. There's a lot more to work through in all of our communities, but I'm starting to see some success, and that's part of how our recovery is going to happen, by putting the necessary pressure for people to get together and make this work.

Mr. BRALEY of Iowa. And that's why the Blueprint for Recovery we've been talking about that the Populist Caucus has put forward—real solutions, concrete solutions, that are going to help us get out of this mess, by ending excessive speculation on Wall Street, making sure that we have a fair compensation system for the people who have gotten us into this mess, and spurring job creation with things like the Wall Street Bonus Tax Act, the National Infrastructure Development Act, the Make Wall Street Pay for the Restoration of Main Street Act, and the Buy American Improvement Act.

These four commonsense bills will make an enormous impact on the quality of life for middle class families. They also represent true populist policies that are about building America up, not tearing it down. It's about giving voice to the legitimate concerns of the American people who made this country great.

With that, I thank my colleagues, and I yield back the balance of our time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without

amendment a bill of the House of the following title:

H.R. 4691. An act to provide a temporary extension of certain programs, and for other purposes.

FISCAL RESPONSIBILITY

The SPEAKER pro tempore (Mr. HEINRICH). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker. It's a privilege and an honor to be recognized by you to address you on the floor of the House of Representatives. Having watched the collection of colleagues from the other side of the aisle over the last 60 minutes, a lot of subjects were brought up and I think delivered in a professional fashion by my colleagues, and I hope they know I'm always open to dialogue if they have some things that they would like to exchange with me. I'm here. And I have often asked my colleagues to yield, and if they should ask me to yield, I'm happy to do so. I think it's important to have an exchange, a dialogue.

First, we learned last Thursday that Republicans have a lot of good ideas. We also learned that many of those good ideas are suppressed by the iron-fisted gavel of the Speaker of the House of Representatives.

Also, as I looked at the event as it unfolded, Mr. Speaker, that 6½ hours of discussion that took place last February 25, last Thursday, at Blair House, on health care, a number of things came to me, but looking at the data was quite interesting. Just to boil it down to raw numbers and regular comparison, it was this: that for every 2 minutes that a Republican spoke, the President spoke for an additional 2 minutes and another Democrat spoke for another 2 minutes. So it was really two-to-one in the time that was used. As the President said, well, it's okay if he talks a long time, even though the time was very limited to the others that were talking because, after all, he is the President. So the time doesn't charge against him. It's an interesting concept that I think that heretofore has not been uttered by the President of the United States and in any previous administration.

Another thing that struck me that appears to have not been mentioned by the pundits or the people that observed this were the number of times that the President interrupted those who were speaking. Now, I can identify with what this is like. I have a number of times in my legislative life run into the situation where there's a limited amount of time to speak and maybe the clock has 1 minute on it, 2 minutes, or 5 minutes, or, as it does right now tonight, it's got 60 minutes on it. So you watch the clock and you try to pack as much information into that period of time as you can. When something happens to break that up and change the rhythm and shorten the time that you have, you have to adjust your message to compress it down into the time that you have left.

I believe that the clock that was set for the Members of Congress to speak was set at 3½ minutes. I don't know that. I believe that. I was thinking of the moment that the Republican leader in the Senate, Senator MCCONNELL, introduced Senator COBURN for his 3½ minutes to speak. I do remember the log on the time. It's pretty close to this. Senator COBURN spoke for a minute and fourteen seconds. He was interrupted by the President of the United States for something like 4 minutes and 20 seconds. And then he came back and he spoke again for a little bit more than a minute and he was re-interrupted again by the President of the United States. That happened about one more time in that iteration. The time then that was left for Senator COBURN had expired. And it was the thought and the concept that was driven by Senator COBURN was completely split and delayed because the President interrupted and burned up the time. And even though they may have reset the stopwatch on Senator COBURN's time, it isn't the same as having 3 uninterrupted minutes.

The President claimed more than that on many occasions throughout the entire day, to where it came down to this: the President spoke as much as either Republicans or Democrats, altogether, and he interrupted Members of the House and Senate, Republicans and Democrats, without reservation. Apparently, he believes he's the President of the United States and he can do that. That may be true on certain occasions and to a limit. But there is a limit, Mr. Speaker. And the limit was this: the President of the United States interrupted those who were there to be heard 70 times, 70 in 6½ hours; a little more than 10 times an hour. And of all those interruptions, he interrupted Democrats 20 times, Republicans 50 times. Fifty interruptions. And the kind of way that it breaks up the rhythm and the flow of the message that's being delivered and the fashion that I've talked about with Senator COBURN whom, I have not had this discussion with, by the way. For all I know, he has no objection to the process that was there. But for me, I do, Mr. Speaker.

So it was not possible for a consistent, continual flow of cogent thought to flow through with the President interrupted on 70 different occasions over the course of 6½ hours. It's hard to get to the bottom of something; it's hard to make your point when you're continually interrupted.

But I listened to this last hour, and I think the gentlemen had an opportunity to make their case. And there were plenty of them. I don't know that anything was particularly stunning, except I looked at the gentleman from Wisconsin's poster that was on this easel just a few minutes ago. It showed the jobs that were either created or lost, not by the President of the United States, President Obama, or President Bush, but the jobs that were created or lost during their administration, which is a far more accurate way to discuss it. That span was over about a 2-year period of time.

It would have been hard to see the poster and understand it. I had to walk up very closely and analyze it, but it flowed back through 2009 and through 2008, into December of 2007. The curious thing about that chart, which showed an upside down parabolic curve of the bar graphs of jobs lost on under those two administrations, appeared to be about equal—the last year of the Bush administration, the first year of the Obama administration.

The curious part was that on the chart there was only one month where there were actually jobs that increased. That was during the Bush administration. And we all know that if you would take that month and then you would go back into 2008 and on into 2007, 2006, 2005, 2004, 2003, 2002, all the Bush years, one would see that there was some up months and some down months. And an administration needs to be looked at on balance. But here is what happened. These are the real viewpoints on what happened with our economy. It seems to be ignored.

Now the gentleman that stood at this particular podium had on his chart that under the Bush administration we had two wars, two tax cuts, one drug entitlement, and an asterisk for the Wall Street bailout. Well, okay. First, I will bring us up to these two wars, Mr. Speaker, and I can do it fairly briefly, and that is this: when President Bush was elected in the year 2000, after we went through all of the recounts in Florida and the Supreme Court decision and the allegations that the President was an appointed President, not an elected President, which no recount or analysis would support, all of the reviews of the elections in Florida and everywhere else in the year 2000 support that George Bush won that election. It's too bad it was so close. It was too bad we had to have such a fight. It's too bad it had to go to the Supreme Court. But in the end no one has made a legitimate case that there was anything other than a legitimate election, and every State, including Florida, in a count that was 527 or 537—I think 537—was the difference in Florida. Very, very close. And it wasn't so close, of course, in 2004.

But in the year 2000, when George Bush was elected President, already we had seen the bursting of the dot.com bubble. Now this was this false sector of the economy that was created because the investors in America and around the world saw that we had developed the microchip. And with the microchip we had developed the ability to store and transfer information more effectively, more efficiently, and more quickly than ever before and more cheaply than ever before.

So the investors began to bet on the dot.com companies. As they invested in the dot.com companies, there were companies out there that had capital that they could utilize. And they invested it into the new industry that was growing. It was the information age. The information revolution. As that grew, it outgrew its ability of the technology we were developing, it outgrew its ability to produce a good or a service that could improve our productivity or efficiency.

□ 2200

So when that happened, it created a bubble. It was the investors' bubble created on the speculation that there would be a value that was inherent in our ability to store or transfer information better than ever before. There's more to be said about that, Mr. Speaker, but that was a description of the bubble.

The bubble was bursting at the end of the Clinton administration. That bubble was going to burst because the markets had to adjust to the irrational exuberance of the investment in the dot-com bubble. So as that bubble was bursting and George Bush was becoming President, we saw a decline in our economy. Alan Greenspan, Chairman of the Fed, saw the bursting of the dot-com bubble and concluded that something needed to be done to shore that up, to fill that hole that was created in our economy because the bubble was collapsing and shrinking. And to fill the hole, Alan Greenspan decided, with or without the support of President Bush, that we should create a housing market that would help shore this up. So we ended up with unnaturally low interest rates. While that was going on, it played into the hands of the people that were driving for lower underwriting standards, lower standards of capital. And this was contributing to, later on, the mortgage crisis that we saw unfold about a year and a half ago.

That builds us up to September 11, 2009, where I see on the gentleman from Wisconsin's chart where he said two wars. Well, we had a dot-com bubble that was bursting. We had a Chairman of the Fed and others who had decided to shore up the hole created by the bursting of the dot-com bubble. Which, by the way, that bubble was pierced by the lawsuit against Microsoft. The bubble was growing. It was big. It was fragile. It was going to burst, I believe, but the bubble was pierced by the lawsuit against Microsoft that was brought about by a collection of State attorneys general who decided to file a class action lawsuit and took Microsoft to task and took them to court, and it cost millions and millions of dollars. That accelerated the collapse of the dot-com bubble. And as that accelerated and it went down, something needed to fill that void or we would have seen a serious economic decline and a real recession.

Well, we saw an economic decline. Some would argue—and honestly, if look at the numbers, it technically probably was not a recession. But to fill the hole, the effort was made to create a housing bubble to fill the void that was created by the collapse of the dot-com bubble. That's what was taking place when George Bush was being inaugurated as President of the United States. He kept Alan Greenspan on, and I don't object to that, Mr. Speaker. I just make that as a point.

So as these two things are happening, the bubble was deflating. The dot-com bubble was deflating. The housing bubble was being created to fill the hole. While this was going on, along came the September 11 attack on the United States of America, the attack on what may have been this Capitol building or the White House. I think it would have been on the Capitol building. That's the plane that crashed in Pennsylvania. The attack on the Pentagon, where we lost our brave service personnel there, and the attack on the Twin Towers in New York, which causes us all to stop in reverent grief at the price that was paid by innocent Americans at the hands of the evil al Qaeda.

But, Mr. Speaker, that happened on President Bush's watch. I don't know that one could point to any act of omission or commission that contributed to that on the part of the administration. It happened. They found a vulnerability that had always existed, and al Qaeda exploited it. So we ended up at war. As the gentleman from Wisconsin's chart says, we were involved in two wars. We went immediately into Afghanistan. We drove al Qaeda out of Afghanistan and teamed up with the Northern Alliance, and with a very minimal number of troops in U.S. uniform, liberated the country of Afghanistan and eradicated Afghanistan of al Qaeda terrorists, these al Qaeda terrorists who needed some kind of habitat if they're going to operate. It was a just thing to do. It was a decision that had to be made early. It went very well, with a minimum number of American casualties, and Afghanistan was freed and liberated.

Then, because of intelligence worldwide, I found no one who disagreed with, because of a decision that was made, we went into Iraq. And not to deliberate on that, Mr. Speaker, and not to, let's say, kick that dead horse, but once we put our troops into action and asked them to put their lives on the line for us, for our liberty and for our freedom and for the destiny of America and the free world, it is our obligation to stand with them. And I have stood with our troops—not just our troops but also their mission—continually since the beginning of these operations as I came to this Congress and watched as the liberation of Iraq unfolded before our eyes on television.

So the poster that was here on this easel that said, well, under George Bush we lost all these jobs—well, the chart only shows the last year of the Bush administration—and we were under two wars, and that we had had two sets of tax cuts and a drug entitlement and a Wall Street bailout. All of that blamed on George Bush.

Well, I would like to think they could get over this and quit revising history, as a matter of fact. Yes, we have two wars. Which one would they have avoided? Would they have avoided them both? Would anybody say we should not have gone into Afghanistan? Would you have just walked away and shrugged your shoulders and pointed your finger and said, This is a job for the Attorney General? After all, it must be a law enforcement operation. Surely there couldn't be a war against people that would annihilate the lives of 3,000 or more Americans on a single day. The worst attack on American homeland in the history of our country, and I see it listed here on the poster as if it were something we should not have been engaged in.

Mr. Speaker, it was nearly unanimous here in the House of Representatives to grant the authority for the President of the United States to engage in these operations. There was only one exception, so that's the only person that would get to come here to the floor and say, I told the you so. She'd be wrong. But there's only one person that has the credentials to even make that statement in this entire Congress. It's not the people that were down here tonight, Mr. Speaker.

Yes, two wars. The war in Afghanistan was necessary and unavoidable. The war in Iraq was a decision that was made off of the intelligence that we had, and that is a separate debate. But we engaged in those operations, and once we did, I throw my lot with our troops and their mission, and I do not believe, Mr. Speaker, that you can separate the two. And I think it's hypocritical to state that you are for the troops and opposed to the mission because you find yourself in a position where you're arguing that you support the troops but you're asking them to put their lives on the line for a mission that you do not agree with. And that, Mr. Speaker, is a line of dichotomy and hypocrisy that I cannot abide. So, yes, two wars. We know the reasons for each of them.

And another little bullet point on this poster that was here from the gentleman from Wisconsin is tax cuts, two tax cuts. Yes, we had them. We had an economy that needed some help. I'm not a great fan of the rebate that took place in 2001. I think it gives the economy just a little sugar high, and then it goes on the way it was. But I am a fan of the tax cuts that unfolded in 2003 that were signed into law by President Bush on May 28, 2003. Those were real tax cuts. Those were real economic stimulation tax cuts. They were the tax cuts that caused people to free up capital and reinvest it again and get this economy rolling again. Any data you look at supports that those tax cuts—those cuts in capital gains, those cuts in dividends, those cuts that let

people invest money and with some confidence believe it was going to improve their return on investment—were smart, and they were prudent, and they were useful, and they worked. It is a far, far better thing to stimulate our economy with tax cuts than it is to try to stimulate our economy with debt, as this current administration is seeking to do.

□ 2210

So the Bush administration had two series of tax cuts: 2001, which was essentially a rebate—they realized it didn't work; by 2003, they came back and asked for real stimulation tax cuts. We provided those in 2003, and they did work by any measure.

So when we look at the Bush administration, that little chart that shows only the last year of the Bush administration is not indicative of the Bush administration. Look at it on the balance. I don't have those numbers in my head. I just saw the chart. But that chart is indicative of the Obama administration. That is all we have to measure. We are in March, so we have 13 months of the Obama administration. There has been negative job growth every single month during the Obama administration. Now I'm not laying that all at his feet. He inherited a situation. The cycles of the global economy are part of this. The decisions that were made in this Congress is part of this. President Bush is not wholly to blame, if he is to blame at all. But what I saw happen was the recently admonished CHARLIE RANGEL, now chairman of the Ways and Means Committee, was the anticipated chairman of the Ways and Means Committee immediately in the aftermath of the Democrat takeover of the majority of the United States House of Representatives when NANCY PELOSI became Speaker. And CHARLIE RANGEL, the ranking member as I recall on the Ways and Means Committee, went on the national talk shows and he went over and over again. He went everywhere all the time. He talked about as much on the national talk shows as Newt Gingrich did when he became Speaker-elect of the House of Representatives.

And all of America watched and listened to CHARLIE RANGEL because they wanted to know. And the question was continually asked: Mr. RANGEL, which of these Bush tax cuts would you keep and which would you want to get rid of. And I don't recall a single straight answer, but I remember by November and December and January and part of February had rolled around, it had become clear to the analysts and pundits in America there was not one single tax cut of the Bush administration that CHARLIE RANGEL wanted to keep, not one.

From that period of time in November of 2006 until December of 2006, January and February of 2007, we saw industrial investment in America drop like a rock. Mr. Speaker, it did so because capital is smart. Capital is intelligent. It will do the wise thing. When capital investment realized that the costs of investment were going to get higher and higher, then it backed away from the marketplace and slowed down dramatically in industrial investment. That industrial investment that was lacking was the precursor to this economy that we are in today. Now it is not the only factor. There are a whole series of factors. People on this side of the aisle can make their arguments, and people on this side of the aisle can make their arguments, too.

But I have laid out the scenario where there is a bursting of the dot-com bubble, accelerated by the lawsuit against Microsoft organized by some of the State attorneys general that started our economy down a decline, and the chairman of the Fed, Alan Greenspan, made a decision I believe to try to prop it up by creating a housing market to help bring this economy back up again with unnaturally low interest rates and favorable terms and lower underwriting requirements, and that I believe was a precursor to the subprime mortgage crisis that brought about this economic decline, all of the while while this was going on, we saw the majority change in the House, and then the CHARLIE RANGEL position of not being committed to preserving a single Bush tax cut. And the result was capital left investment out of the industrial side of this marketplace. It slowed down our industrial production.

Mr. Speaker, there is a person in the gallery that is making gestures up there that are inappropriate. I would like to ask him to be removed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Mr. KING of Iowa. I request that he be removed.

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

Mr. KING of Iowa. Thank you, Mr. Speaker. I appreciate your attention to the decorum in the Chamber. I do revere this institution that we all are a part of. And to pick up where I left off if I may, there is a flow to this economy that is impossible to discern with the definitive analysis on how much of it belongs on this side of the aisle and how much belongs on this side of the aisle, and how much of it is the organism that is the free enterprise economy we have, coupled with the politics that churn back and forth.

So we make our arguments. We make them in the media, and when we go home to our districts, we trust that the American people will sort this out and that they will then come to a decision that will elect the people that come back to this Congress in the next cycle of our elections and be able to make even better decisions than in the past.

So when the argument here is that even though the people in this Chamber and those who happen to be watching on C–SPAN have seen these bullets, the bullet points, to make it clear, on the chart of the gentleman from Wisconsin, who is a friend and who I actually have a good personal relationship with, two wars—this side will argue that they were both necessary, and on this side they will argue only one was necessary. And the tax cuts; I have argued that one was only a sugar high and the other one was very effective and necessary. Apparently the people on this side of the aisle will argue that neither one of them was effective and necessary and we should follow the Keynesian approach.

The drug entitlement language—as I recall, there were a number of Democrats who voted for that bill, and the argument was, would you actually set up a Medicare proposal that would not include prescription drugs today, as much as prescription drugs are involved in providing health care to everybody in America. You wouldn't imagine that the pharmaceuticals that are so much a part of the stability for our health care would not be part of Medicare. So that argument, I think, stands pretty clear.

Then we have the other bullet point that was on the chart, Wall Street bailouts. Well, I was not a fan of Wall Street bailouts, Mr. Speaker. I, among about half of the Republicans, voted ''no'' on the $700 billion TARP legislation which, by the way, was only $350 billion worth of TARP legislation, only $350 billion, and that is a relative term, when you are looking at $750 billion, you can say that. But this $750 billion TARP proposal that came from the Secretary of Treasury, Henry Paulson, his request was for immediately $750 billion with no strings attached and he would spend the money as he saw fit, and he was the only one who could save our economy from going into a downward spiral and the global collateral and global currency from crashing.

Well, this Congress pulled it back, held it to $350 billion. I voted ''no'' on each component of that because I believed that there wasn't any entity in this country that was too big to be allowed to fail, that we should simply let them fail because if we do so, it would remove the implication, the inference that the Federal Government was going to provide a guarantee. And if they believe it is implicit that the Federal Government will bail out companies that are too big to fail, then they take greater and greater risks and the markets don't work any more because they are propped up by the government.

So Wall Street bailout, I stand here, Mr. Speaker, and about half of my Republican colleagues stood with me each time opposed to the $750 billion TARP fund bailout.

□ 2220

And maybe about the same number of Democrats stood in opposition and

in favor of it. So it was both parties, in roughly equal numbers—although not precisely—that supported the Wall Street bailout.

But, Mr. Speaker, then-Senator Obama—and now President Obama—did support the TARP bailout. He was in support of the $700 billion. And when it came back, as the vote of $350 billion now and $350 billion to be requested by the next administration and approved by the next Congress, President Obama—then-Senator Obama—voted for that legislation; he was in favor of it.

When they went to the White House, JOHN MCCAIN and Senator Obama, to sit down with Speaker PELOSI and MITCH MCCONNELL, the leader in the United States Senate, and ROY BLUNT was there as well—and the list of people on the House side goes on—at that table, then-candidate Obama, Senator Obama was in agreement with the request for $700 billion and voted for it. So it doesn't work very well for a Democrat to come to the floor of the House and point his finger at George Bush when he can clearly see that his President—and, by the way, my President—was in support of TARP. I was not. I stood in opposition to TARP.

The Wall Street bailout was approved by then-Senator Obama, the first half at $350 billion, and then later on the other $350 billion that was requested by the President to be elected later, which was President Obama, and approved by the Congress to be elected later, which was the Pelosi-Reid Congress, sent Henry Paulson another $350 billion to go to the new Secretary of the Treasury. That Secretary, by the way, had tax troubles of his own.

So we can spin this a lot of ways, but what happened was at the end of the Bush administration and the beginning of the Obama administration and with the cooperation, support and assent of then-Senator and later on President-elect and then President Obama, here's what we saw happen. We saw that TARP funding approved in late September, early October of 2008 with the support of Obama and McCain and President Bush—not mine. We saw three large investment banks begin to be nationalized as the flow of this election came through. We saw the huge insurance company, AIG, nationalized, taken over by the Federal Government. We saw Fannie Mae and Freddie Mac nationalized, taken over by the Federal Government. And then, pretty soon we saw General Motors and Chrysler nationalized and taken over by the Federal Government.

We saw the bankruptcy court accept the deal that was proposed by the Obama White House without one jot or tittle amended no matter what the testimony was before the bankruptcy court. A proposed package that was endorsed by—and for all I know shaped by—the White House to put these car companies through bankruptcy was, verbatim, approved by the bankruptcy court. Now, what a curious thing that the White House can write a prescription for a bankruptcy and a takeover of private sector companies, two proud American companies, and the bankruptcy court couldn't find a single flaw in that proposal, no matter what the testimony to end back up with exactly the language of the agreement that was proposed by the White House, and which, by the way, was supported by Speaker PELOSI. And the language that she used was: I am not going to allow the automakers to get bargaining leverage over the unions.

And so the secured creditors and the car companies lost their investment completely—lock, stock and barrel, wiped out, Mr. Speaker. And shares of stock were handed over to the United Auto Workers Union. How could that happen in a Nation that believes in the rule of law? How could that happen in a Nation that allows for collateral to be held for secured creditors? The people that held the collateral for those companies lost their collateral, and part of the reason was because the large investment banks that had been invested in those shares had also received a bailout from TARP—the Troubled Asset Relief Program in case there is anybody that needs to know that.

When that happened, then it was leveraged against these large investment banks to capitulate, give up their secured interest in that collateral for General Motors and Chrysler so that it could be transferred over to the unions, whose concession was they conceded claims, insurance claims in the future. That's it. No real-time, now transfer of anything; simply some concessions down the line that looked like—if they're able to pass socialized medicine will be irrelevant anyway.

That's what I saw happen. TARP, the Troubled Asset Relief Program, $350 billion under Bush, $350 billion under Obama, three large investment banks nationalized, AIG, the insurance company, nationalized, Fannie Mae, Freddie Mac, one of them lost $16 billion in the last quarter, $16 billion, Mr. Speaker, all of that out of the pockets of the taxpayers.

The taxpayers are on the hook to ensure that these now wholly owned government entities, Fannie Mae and Freddie Mac, whose liabilities have been accepted by executive order of President Obama last December in the amount of contingent liabilities of $5.5 trillion, and still the taxpayers continue to go to work every day and send their money into the Federal Government, and still this Federal Government's heart is hardened and can't seem to come to grips with the massive responsibility that they have accepted and transferred over onto the people of America.

And while all of this is going on, the Community Reinvestment Act, which was passed in the late seventies, ''modernized'' in the early nineties under Bill Clinton, that Community Reinvestment Act that was designed to put an end to redlining around districts in our inner cities—mostly inner cities, wouldn't have had to be exclusively that, Mr. Speaker—and it was an activity that I disagree with and object to, but there were lenders that could see that there were neighborhoods where the asset values were going down, inner city neighborhoods. Any of the inner city properties where the asset value was going down, they took, more or less, a red pen and drew a line around those areas in the inner city whose asset values were going down, they were redlining them. They would draw a boundary around them and then make a decision that they were not going to loan any money into that area because the collateral value was diminishing rather than appreciating.

So when that happened, and it became apparent here in this Congress, the hearts of the Members of Congress went out to the people that were trying to make a living and live in those areas and passed the Community Reinvestment Act, which essentially said if you're going to make loans and if you're going to expand your operations with branches or continue to go into other neighborhoods, then you need to comply with the Community Reinvestment Act, which means, in short, that lending institutions had to make bad loans in bad neighborhoods. That's the short version of what it is. There are a lot of nicer ways to say it, but that is the blunt version, Mr. Speaker.

So these lending institutions were having trouble defining what that meant. Well, ACORN was there to help them. They were there to shake down these lenders and push the lenders into making more bad loans in bad neighborhoods. But the problem was that the lenders couldn't make any more loans because they were having trouble selling these mortgages off into the secondary market, Fannie Mae and Freddie Mac, because the underwriting requirements for Fannie Mae and Freddie Mac were not loose enough to allow those mortgages to be sold into the Fannie and Freddie secondary loan market.

And so this wonderful organization called ACORN came to this Congress in the early nineties and lobbied the Congress—they weren't the only ones, but they were a very, very active and forceful organization—they lobbied the Congress to lower the underwriting and the collateral of down payment standards for the borrowers so that Fannie Mae and Freddie Mac could buy up these loans on the secondary market. And the loans that would be made by the lending institutions that were seeking to comply with the Community Reinvestment Act, make those loans, bad loans in bad neighborhoods, sell them off to Fannie Mae and Freddie Mac, shed themselves of it, take their profit and their margins out and let Fannie and Freddie worry about that as they rolled them forward. All of that was going on, and it wasn't going fast enough.

But once the underwriting requirements for Fannie and Freddie were approved here in this Congress in the early nineties, then ACORN went to work and accelerated their effort to promote more and more bad loans in bad neighborhoods. While that was going on, the shakedown was being accelerated. But it wasn't enough to have a, let me say, lobbying operation here in Washington that was pushing to lower the standards for Fannie and Fred, but there was an activist shakedown operation going on out there in the neighborhoods where ACORN's people were proudly saying that they went into lending institutions and they would shove the banker's desk over against the wall and all surround the lender and chant and scream at him to intimidate him into making more and more bad loans in bad neighborhoods.

□ 2230

So what did they do?

In an attempt to please or placate, the lenders made more bad loans in more bad neighborhoods. Then ACORN found themselves in a position where they could actually score the lenders as to whether they were in compliance with the Community Reinvestment Act.

Well, think about what that means—an outside organization that emerges today as a criminal enterprise, scoring lending institutions as to whether they're in compliance with the very vague language of the Community Reinvestment Act, and encouraging more and more bad loans in bad neighborhoods. Alan Greenspan is up there, lowering interest rates, extending the terms, lowering the standards for a downpayment. All of this accelerated bad loans in bad neighborhoods. Subprime mortgages made that all happen, and you had this snowball that was rolling along underneath the radar.

We saw this start to break apart a year and a half or so ago, Mr. Speaker. That's when Henry Paulson came to this Capitol and did his Chicken Little routine.

He said, The financial sky is falling, and I can prop it up with $700 billion.

What's your guarantee?

He said, I have no guarantee, but it's the only thing that has any chance of working. You'll have to give me the money, and I'll do what I can with it.

That's the picture of what happened: The Community Reinvestment Act, the shakedown of lenders, ACORN engaged in the middle of this, ACORN finding themselves as the broker for bad loans and the approver of the lending institutions that are making enough bad loans that it meets their standard. That's what we saw happen, and we saw this economy start to crack apart again. When it cracked apart and when the economy started to spiral downward, yes, that was under George Bush's watch, but it was also, Mr. Speaker, under NANCY PELOSI's watch, and it was under HARRY REID's watch.

I have stood here on this floor, have sat up in these seats and have listened to enough debate from this side of the aisle when, over and over again, Democrats in this Congress have said, Give us the gavels. We will make it better. We can fix this economy. We can grow this country. We will take care of our national defense. Everything will be right again. This is before President Obama was even elected to the United States Senate. There were declarations from this side of the aisle that you could fix everything if you could just get the gavels.

Well, you got the gavels. You got the gavels in 2006, and we saw industrial investments spiral downwards, and we saw the subprime mortgage crisis spiral even further downwards. By the way, in 2005, I stood on this floor and I supported raising the standards of underwriting for Fannie Mae and Freddie Mac, requiring them to have similar, not exactly the same, capital requirements as the other lending institutions and similar regulations of the other lending institutions.

What happened, Mr. Speaker, was that the now chairman of the Financial Services Committee, Mr. FRANK, came to this floor and vigorously opposed an amendment that was offered by Mr. Leach of Iowa, on October 26, 2005, which would have fixed Fannie Mae and Freddie Mac. Jim Leach understood what we needed to do. I understood what we needed to do. There were several dozen others who understood what we needed to do. Yet the defender of Fannie Mae and Freddie Mac would later on become the chairman of the Financial Services Committee, and he would continue to defend Fannie Mae and Freddie Mac, and he would open up authorizations to fund ACORN and to accelerate the downward spiral of our economy.

I come to this floor tonight, and I hear it's all George Bush's fault. Well, as you may know, Mr. Speaker, I'm having a little trouble with this logic.

So I'll just fast-forward to another circumstance that took place yesterday and the day before and the day before and the day before and that will be taking place tomorrow. It is the position that Senator JIM BUNNING has taken with regard to the extension of unemployment benefits. He has taken the position that, if you really believe that we should pay as we go, then the people who are promoting that we should extend unemployment benefits should find a way to pay as we go. That's their pledge.

They passed PAYGO here. Of course it's a sham. They just simply bypass it, ignore it, or put a little language in the bill that says PAYGO doesn't apply, and they move on. They do whatever they want to do. There is no standard anymore. The integrity has diminished substantially.

JIM BUNNING said, Hold it. Before we extend unemployment benefits, find a way to pay for it.

This is an administration that has spent way out of proportion to any other. This is in the trillions of dollars. We have a President who is a Keynesian economist, if he is an economist at all, and he is on steroids. He has a voracious appetite to spend our grandchildren's future incomes.

Today, by my numbers, a baby born in America owes Uncle Sam for the birthright of being a natural born American citizen $44,000. Somebody else's number is $46,000. I'll stick with $44,000. It's a conservative number. By the time that child starts the fifth grade, if the President's budget is approved, authorized, and appropriated, we will see that child owing the Federal Government $88,000 when he walks in to meet his fifth grade teacher. $88,000.

At the same time, this same administration laments the college debt that they have. Now, if you have a student who walks out of college and who gets his degree with $88,000 worth of debt, that seems to be more than he wants to bear. The hardest thing is to come short of a degree and still have the college debt because you don't have the sheepskin to help you with the revenue stream, and you've got to find another way to do it.

I will say that I empathize with those college students who have high debt, but I even greater empathize with those American babies who are born every day in this country with a huge debt over their heads that they had nothing to say about. They don't really have a means to take that and call it an investment and a return on that investment. It is unconscionable that we would put our children and grandchildren in debt in the fashion that we have, and it is trillions of dollars, Mr. Speaker. The numbers work out to be something like this:

We've had something like an $11.3 trillion national debt. That national debt has now been raised to around $14 trillion. If you look at the Obama budget, when you project it out over a 10-year period of time, that takes it up to $28 trillion. Now, this is a massive burden that we have. How do we work our way out of it?

We are going the wrong way—raising up mandatory wages. Let's say we raise minimum wage a high percentage, 30-some percent or so. We have got a Davis-Bacon wage scale, the federally imposed union scale on every construction project in America that has 2,000 or more Federal dollars invested in it. It unnaturally inflates the cost of every project that has Federal dollars in it someplace between 8 and 35 percent. The most recent data shows an average of a 22 percent increase because of Davis-Bacon wage scales, which truly are union wage scales.

Then on top of that, while the Federal Government is managing minimum wage, managing imposing a union wage scale even on competitive contracts—and by the way, the Davis-Bacon wage scale is the last Jim Crow law in America. I know of no other Jim Crow law left in America. This is one.

It is the remaining Jim Crow law. It was designed to lock African Americans out of the trade unions in New York City back in 1932. There was a Federal building contract that was let in the Depression era, and a contractor from Alabama was the low bidder on the project. He brought a lot of African American workers in from Alabama up to New York City to build that Federal building. They'd work cheaper. They came in.

The unions got together and lobbied. Somebody said they were both Republicans, and if so, I don't identify with them at all. Two New York legislators—a senator and a representative—called Davis and Bacon decided that they were going to impose a prevailing wage on America, which turns out to be the union scale on America, which is an increase of 22 percent.

So the decision we have is: Do we want to build 4 miles of road or 5? Do we want to build four bridges or five? Do we want to build four schools or five? Do you want to build 4 miles of bike trail or 5? Name your project. Do you want to build four buildings or five? How many shovel-ready projects do you want to go to work if they are of equal value—four or five? That's the difference between the non-Davis-Bacon merit shop and Davis-Bacon wages.

I am confronted with the chairman of the Financial Services Committee, who has consistently made the argument with many of his colleagues over on this side of the aisle that the Federal Government has no business injecting themselves in between two consenting adults. The two consenting adults should be able to do whatever they want to do. It doesn't hurt anybody else. That's their argument. What business is it of ours in this Congress if two consenting adults want to carry on in any fashion whatsoever, whether we can discuss it here into the RECORD or whether we can't, Mr. Speaker?

Well, the same individuals who make that argument seem to think that the Federal Government should inject themselves into every transaction between two consenting adults, provided there are some 2,000 or more Federal dollars involved. So now we have Uncle Sam's telling David King what he has to pay his employees on a construction project in Iowa: If I want to go climb in his excavator on a project, and I say, Hey, Dave. I want to do this for nothing. I just enjoy doing this work. It takes me back to my roots, and I want to help this company, or if I say, Will you just pay me $10 an hour? That'll make it work. It'll give me a little spending money and make it work.

□ 2240

He can't do it. It would be a violation of Federal law. I cannot enter into an agreement with my own son, two consenting adults, and work for $10 an hour or $20 an hour or nothing, because the Federal Government has decided they want to tell two consenting adults what they can do, what they will be paid for work that is done.

By the way, it changes dramatically from district to district. You might go across the road, the center of the centerline of a highway, and find out there is a 20, 30, or 40 percent difference in this thing called prevailing wage, which actually is union scale.

The Federal Government is messing up the works. The free enterprise system has got to be allowed to operate and flourish. There needs to be a floor that is established under labor that is supply and demand. There needs to be a wage and benefits package that is reflective of supply and demand, and the skills of the employee. That, sadly, is not the case when the Federal Government is involved.

So, Mr. Speaker, there are a lot of distortions that have been taking place here, and our Keynesian economist on steroids who is in the Oval Office has further distorted this. We need to take this country back, back to our roots, back to our origins, and let the free enterprise system work.

There are a series of flashcards that have been made available by the USCIS, Citizenship Immigration Services. Those flashcards are little red things about like this. They will ask you a question when you study to be a naturalized American citizen.

On one side it will say, Who is the Father of our Country? Snap it over and it will say, George Washington.

Who saved the Union? Snap it over, Abe Lincoln.

What is the economic system of the United States? Snap it over, free enterprise capitalism.

Mr. Speaker, it is hard to believe that would be a question that would be answered accurately in the White House today, given the nationalization of one-third of the private-sector profits in the country, given the effort to nationalize our bodies.

Now, there is a concept, Mr. Speaker, that has some people raise their eyebrows. Now they are ready with their fingers on their keyboard, because they think that STEVE KING has said something that is completely outrageous. Well, it is completely thought through.

Here is the point. Ever since 1973, a significant percentage of Americans, albeit today in a minority, have continually made the argument that abortion should be available electively because no one has any business telling a woman what she can or can't do with her body. That is the argument.

The pro-choice crowd has continually argued you can't tell a woman what she can or can't do with her body. It is her body, a decision for her and for her doctor and for her pastor, priest, or rabbi. Funny that the father is not in this equation. But that is the argument; you can't tell a woman what she can or can't do with her body. It is a decision for her, her pastor, and her doctor.

Well, the same people, the same people that have been making that argument since 1973 that you can't tell a woman what she can or can't do with her body, it is her body, after all, are the ones that are now making the argument that the Federal Government should have the authority to tell everybody in America what we can or can't do with our body.

This is the nationalization of everybody's body. It is Uncle Sam taking over our bodies. The most private, personal thing we have is this physical body that we should be managing, taking care of, respecting, and be grateful and reverent for. And even in the legislation we see language that would tax your pop if it is not diet, or outlaw or tax trans fats, and try to manipulate behavior so that your body treats you in a fashion that is less of a demand on health care. This is the Federal Government telling us what we can and can't do with our body.

We have heard some talk about death panels, and I have not embellished that very much. But those panels would be a component of the thought process that I am discussing. You would have a Federal panel or committee that would be run by the Health Choices Administration czar who would determine when you could have tests, when you couldn't have tests; when a woman was too young for a mammogram, when a woman was too old for a mammogram, when she had had too many mammograms; tell you when you needed to be checked for colon cancer. They would put you through all these paces. It is the Federal Government managing our health care.

Why would we do that? Why would we give that up? Why would we let the Federal Government nationalize our bodies and decide what we will pay for health insurance premiums, what health insurance policies will be offered to us, and by those decisions they would decide then the cost of the premiums, the benefits of the premiums, from what would be offered. The Federal Government takeover of the most personal and private thing that we have, and in fact are, would be the nationalization of everybody's body in America.

Now, what does that mean? Well, it is we the people. The people get their rights from God. We take those rights and we confer them upon government and they derive their just powers from the consent of the governed.

But if you look back at the old monarchies that were the precursors to this country, those subjects existed for the monarch, for the king. They were the king's subjects. He controlled them. He managed them for his own benefit at his own will. Some were benevolent and some were not. We have rejected the monarchy, and that is very clear if you read our Constitution.

But also the Communist state, where the individual exists for the benefit of the state and everybody's work and labor's for the benefit of the state. There isn't any system out there that respects and reveres the power of the individual and our individual rights that

come from God, and how people confer, the people, confer their powers that come from God and the consent of the governed, and pass it over to our elected representatives. That is the system that we have.

Why would the people of the United States of America give up their sovereign rights to control their own persons in spite of all the things that are in the Bill of Rights that define our individual rights? Why would we give that up and hand over the management of our health care to the Federal Government? Why would anybody propose such a thing?

I will submit, Mr. Speaker, they would only propose such a thing if they were anti-liberty, if they were anti-freedom, if they were pro-some other form of government that didn't respect the sovereignty of the individual and the God-given liberties that are invested in all of us. So, this is an important debate that is before us.

Tomorrow, President Obama will unveil, as he has announced, another series of bullet points. The last time it was 11 pages, no legislative language, of principles he thinks that we all should agree to. And he would give some opportunity for Republicans to accept a few more dictates, and he has indicated he would be interested in a couple of changes. But, in the end, they have created a toxic stew that started with that tainted old soupbone of HillaryCare of 15 years ago, and they have added bells and whistles to it that are designed to try to attract more people into this.

But if you start out with something toxic, whatever you add to it, it dilutes it, but it is still toxic. This is a toxic stew, this National Health Care Act. It needs to be thrown out, and we need to start fresh. Three out of four of the American people agree with me that we can't go forward with what we have in front of us. We have got to start all over again.

We need to start with tort reform and the lawsuit abuse, and allow people to really and truly and honestly and openly buy insurance across State lines. We need full deductibility of everybody's health insurance premiums. We need to expand Health Savings Accounts. We need to allow people to use HSAs. We need to set up a portability, so people can take their health insurance policies with them every time. And we need to address preexisting conditions in a fashion that doesn't turn out to be socialized medicine.

All of that we can do, all of that we should do, but we should do it one bill at a time, standalone, very clear. Tort reform first; take this money out of the pockets of the trial lawyers, give it back to the ratepayers, and the taxpayers, and the patients. If we do that, that will be a powerful sign that this administration would finally be ready to work in a bipartisan fashion.

□ 2250

Until I see that, Mr. Speaker, I do not believe that that is the case. I think the effort is socialized medicine. I don't think it's about the liberty of America, nor do I believe it's about the efficiency and the quality of health care.

So, with that, Mr. Speaker, I appreciate your indulgence, and I would yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE of Texas (at the request of Mr. HOYER) for today and March 3 on account of business in her district.

Mr. RODRIGUEZ (at the request of Mr. HOYER) for today on account of primary in district.

Mr. JACKSON of Illinois (at the request of Mr. HOYER) for today on account of family matters.

Mr. GENE GREEN of Texas (at the request of Mr. HOYER) for today on account of Texas primary election.

Mr. REYES (at the request of Mr. HOYER) for today on account of Texas primary.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. JOHNSON of Georgia, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, 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. HARPER, for 5 minutes, March 3.

Mr. PAULSEN, for 5 minutes, March 3.

Mr. POE of Texas, for 5 minutes, March 9.

Mr. JONES, for 5 minutes, March 9.

Ms. ROS-LEHTINEN, for 5 minutes, March 3 and 4.

Mr. MORAN of Kansas, for 5 minutes, March 9.

Mr. BURTON of Indiana, for 5 minutes, today and March 3 and 4.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. CASSIDY, 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. 1299. An act to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

H.R. 4691. An act to provide a temporary extension of certain programs, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House, reports that on February 26, 2010 she presented to the President of the United States, for his approval, the following bill.

H.R. 3961. An Act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 3, 2010, 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:

6312. A letter from the Under Secretary, Department of Defense, transmitting the Department's report on progress toward compliance with destruction of the U.S. stockpile of lethal chemical agents and munitions by the extended Chemical Weapons Convention deadline of April 29, 2012, and not later than December 31, 2017, pursuant to Public Law 110-116, section 8119; to the Committee on Armed Services.

6313. A letter from the Director, Defense Procurement and Acquisition, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Definitions of Component and Domestic Manufacture (DFARS Case 2005-D010) (RIN: 0750-AF22) received January 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6314. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Lead System Integrators (DFARS Case 2006-D051) (RIN: 0750-AF80) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6315. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification System — Amendments [Docket No.: FR-5351-F-02] (RIN: 2501-AD48) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6316. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Exception to the Maturity Limit on Second Mortgages (RIN: 3133-AD64) received January 19, 2010, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Financial Services.

6317. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Display of Official Sign; Temporary Increase in Standard Maxium Share Insurance Amount; Coverage for Mortgage Servicing Accounts; Share Insurance for Revocable Trust Accounts (RIN: 3133-AD54; RIN: 3133-AD55) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6318. A letter from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — Direct Investment Surveys: BE-605, Quarterly Survey of Foreign Direct Investment in the United States — Transactions of U.S. Affiliate With Foreign Parent [Docket No.: 090130108-91414-02] (RIN: 0691-AA70) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6319. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 20-09 informing of an intent to sign a Project Agreement with Israel; to the Committee on Foreign Affairs.

6320. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 04-10 informing of an intent to sign a Project Agreement with North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

6321. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Foreign Affairs.

6322. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Foreign Affairs.

6323. A letter from the Executive Director, Chirstopher Columbus Fellowship Foundation, transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's General/Trust Fund Financial Statements for the First Quarter of FY 2010 ended December 31, 2009, as prepared by the U.S. General Services Administration; to the Committee on Oversight and Government Reform.

6324. A letter from the Director, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule — Temporary Suspension of the Population Estimates and Income Estimates Challenge Programs [Docket Number: 0908171239-91412-02] (RIN: 0607-AA49) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6325. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting a copy of the Financing Corporation's Statement on the System of Internal Controls and the 2009 Audited Financial Statements; to the Committee on Oversight and Government Reform.

6326. A letter from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Migratory Bird Permits; Changes in the Regulations Governing Falconry [FWS-R9-MB-2009-0002; 91200-1231-9BPP] (RIN: 1018-AW44) received January 13, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6327. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Requirements for Subsurface Safety Valve Equipment [Docket ID: MMS-2007-OMM-0066] (RIN: 1010-AD45) received January 13, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6328. A letter from the Chief, Branch of Listing, Endangered Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Rule To List the Galapagos Petrel and Heinroth's Shearwater as Threatened Throughout Their Ranges [FWS-R9-ES-2009-0086; 90100-1660-1FLA] (RIN: 1018-AW70) received January 13, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6329. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2010 Summer Flounder, Scup, and Black Sea Bass Specifications; Preliminary 2010 Quota Adjustments; 2010 Summer Flounder Quota for Delaware [Docket No.: 0908191244-91427-02] (RIN: 0648-XR08) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6330. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western and Central Pacific Fisheries for Highly Migratory Species; Bigeye Tuna Longline Fishery Closure [Docket No.: 090130102-91386-02] (RIN: 0648-XT01) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6331. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelegic Species Fisheries; Closure [Docket No.: 0812171612-9134-02] (RIN: 0648-XT31) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6332. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; fisheries Off West The Coast States; Pacific Coast Groundfish Fishery; Pacific Whiting Allocation; Pacific Whiting Seasons [Docket No.: 090428799-9802-01] (RIN: 0648-XT30) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6333. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Managememt Act Provisions; Fisheries of the Northeastern United States [Docket No.: 0909011267-91427-02] (RIN: 0648-AY19) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6334. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 0809251266-81485-02] (RIN: 0648-XT39) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6335. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2010 Bering Sea Pollock Total Allowable Catch Amount [Docket No.: 0810141351-9087-02] (RIN: 0648-XT40) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6336. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2010 Bering Sea and Aleutian Islands Pacific Cod Total Allowable Catch Amount [Docket No.: 0810141351-9087-02] (RIN: 0648-XT41) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6337. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2010 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 0910091344-9056-02] (RIN: 0648-XT52) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6338. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Limited Access for Guided Sport Charter Vessels in Alaska [Docket No.: 080630798-91430-02] (RIN: 0648-AW92) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6339. A letter from the Assistant Secretary, Employment & Training Administration, Department of Labor, transmitting the Department's final rule — Temporary Agricultural Employment of H-2A Aliens in the United States (RIN: 1205-AB55) received November 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6340. A letter from the Assistant Secretary, Employment & Training, Department of Labor, transmitting the Department's final rule — Temporary Employment of H-2A Aliens in the United States (RIN: 1205-AB55) received November 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6341. A letter from the Clerk of Court, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit No. 08-3642 — Ortega v. Holder (January 15, 2010); to the Committee on the Judiciary.

6342. A letter from the Assistant CC for Hazardous Materials Safety, Department of

Transportation, transmitting the Department's final rule — Hazardous Materials: Revision to Requirements for the Transportation of Batteries and Battery-Powered Devices; and Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions; Correction [Docket No.: PHMSA-2007-0065 (HM0224D) and PHMSA-2008-0005 (HM-215J)] (RIN: 2137-AE54) received January 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6343. A letter from the Acting Deputy Director, NIST, Departmemt of Commerce, transmitting the Department's final rule — Precision Measurement Grants Program; Availability of Funds [Docket Number: 0911251416-91417-01] received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

6344. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Vocational Rehabilitation and Employment Program — Basic Entitlement; Effective Date of Induction Into a Rehabilitation Program; Cooperation in Initial Evaluation (RIN: 2900-AN13) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6345. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Vocational Rehabilitation and Employment Program — Self-Employment (RIN: 2900-AN31) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6346. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Vocational Rehabilitation and Employment Program — Periods of Eligibility (RIN: 2900-AM84) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6347. A letter from the Grants Management Officer, DHS Office of Grants Policy & Oversight, Department of Homeland Security, transmitting the Department's final rule — Department of Homeland Security Implementation of OMB Guidance on Nonprocurement Debarment and Suspension [Docket No.: DHS-2007-0006] (RIN: 1601-AA46) received January 14, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

6348. A letter from the Acting Director, Infrastructure Security Compliance Division, Department of Homeland Security, transmitting the Department's final rule — Appendix to Chemical Facility Anti-Terrorism Standards [DHS-2006-0073] (RIN: 1601-AA41) received January 13, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

6349. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report on the Demonstration of Coverage of Chiropractic Services under Medicare; jointly to the Committees on Energy and Commerce and Ways and Means.

6350. A letter from the Acting Assistant Director, Directives and Regulations Branch, ORMS, Department of Agriculture, transmitting the Department's final rule — National Forest System Land and Resource Management Planning (RIN: 0596-AB86) received January 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Natural Resources and Agriculture.

6351. A letter from the Administrator, Department of Homeland Security, transmitting the Department's report on the Preliminary Damage Assessment information on FEMA-1863-DR for the State of Louisiana; jointly to the Committees on Homeland Security, Transportation and Infrastructure, and Appropriations.

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. CARDOZA: Committee on Rules. House Resolution 1126. Resolution providing for consideration of the bill (H.R. 4247) to prevent and reduce the use of physical restraint and seclusion in schools, and for other purposes (Rept. 111–425). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OBERSTAR (for himself, Mr. MICA, Mr. COSTELLO, Mr. PETRI, Mr. DEFAZIO, Ms. NORTON, and Mr. CUMMINGS):

H.R. 4714. A bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 through 2014, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BISHOP of New York (for himself and Mr. LOBIONDO):

H.R. 4715. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LAMBORN (for himself and Mr. COFFMAN of Colorado):

H.R. 4716. A bill to prohibit the further extension or establishment of national monuments in Colorado, except by express authorization of Congress; to the Committee on Natural Resources.

By Mrs. LUMMIS (for herself, Ms. HERSETH SANDLIN, and Mr. BISHOP of Utah):

H.R. 4717. A bill to require the Attorney General of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes; to the Committee on the Judiciary.

By Mrs. BONO MACK:

H.R. 4718. A bill to amend the Internal Revenue Code of 1986 to suspend the taxation of unemployment compensation for 3 years; to the Committee on Ways and Means.

By Mr. RODRIGUEZ (for himself, Mr. CUELLAR, Mr. TEAGUE, Mr. GRIJALVA, Mr. HINOJOSA, and Mr. REYES):

H.R. 4719. A bill to establish a Southwest Border Region Water Task Force; to the Committee on Natural Resources.

By Mrs. KIRKPATRICK of Arizona:

H.R. 4720. A bill to provide for a 5 percent reduction in the rates of basic pay for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York:

H.R. 4721. A bill to direct the United States Postal Service to designate a single, unique ZIP Code for Flanders, New York; to the Committee on Oversight and Government Reform.

By Mr. BLUMENAUER (for himself, Mr. CAPUANO, Mr. CARNAHAN, Mr. COHEN, Mr. FILNER, Mr. LIPINSKI, and Mr. MORAN of Virginia):

H.R. 4722. A bill to direct the Secretary of Transportation to carry out an active transportation investment program to encourage a mode shift to active transportation within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BOYD:

H.R. 4723. A bill to direct the Secretary of Commerce to study the Gulf of Mexico red snapper fishery and to limit the authority of the Secretary to promulgate any interim rules for the fishery, and for other purposes; to the Committee on Natural Resources.

By Mr. CAPUANO:

H.R. 4724. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the conversion of leadership PAC funds to personal use; to the Committee on House Administration.

By Mr. FRANK of Massachusetts:

H.R. 4725. A bill to provide for the acquisition by the Army Corps of Engineers of the hurricane barrier for the city of New Bedford, Massachusetts and the town of Fairhaven, Massachusetts; to the Committee on Transportation and Infrastructure.

By Mr. MCKEON:

H.R. 4726. A bill to authorize the Secretary of the Interior to participate in projects to encourage the design, planning, and construction of the North Los Angeles County Regional Water Recycling Project in the State of California; to the Committee on Natural Resources.

By Mr. NADLER of New York (for himself, Ms. WASSERMAN SCHULTZ, Mr. WEINER, Mrs. MCCARTHY of New York, Ms. SLAUGHTER, Ms. SCHWARTZ, Mr. ISRAEL, Mr. HASTINGS of Florida, and Mrs. LOWEY):

H.R. 4727. A bill to amend title 18, United States Code, to place limitations on the possession, sale, and other disposition of a firearm by persons convicted of misdemeanor sex offenses against children; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself, Mr. MCCOTTER, Mr. GALLEGLY, Mr. ROYCE, Mr. WILSON of South Carolina, Mr. INGLIS, Mrs. MYRICK, and Mr. MASSA):

H.R. 4728. A bill to authorize assistance to promote counter-extremism efforts in the Balkan region, and for other purposes; to the Committee on Foreign Affairs.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 4729. A bill to clarify the situations in which a corporation may be treated as a person under Federal law; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHAUER:

H.R. 4730. A bill to amend the Internal Revenue Code of 1986 to allow employers a refundable credit for increasing employment; to the Committee on Ways and Means.

By Ms. WATSON:

H.R. 4731. A bill to amend title XIX of the Social Security Act to ensure access to resin-based dental fillings that, at a minimum, is equal to the level of access to mercury-based dental fillings under such title; to the Committee on Energy and Commerce.

By Ms. WATSON:

H.R. 4732. A bill to amend the Federal Food, Drug, and Cosmetic Act to create a

new conditional approval system for drugs, biological products, and devices that is responsive to the needs of seriously ill patients, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATSON (for herself and Mr. GALLEGLY):

H.R. 4733. A bill to promote the well-being of farm animals by requiring Federal agencies to procure food products derived from certain animals only from sources that raised the animals free from cruelty and abuse, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WOOLSEY (for herself and Mr. PLATTS):

H.R. 4734. A bill to amend the Richard B. Russell National School Lunch Act to provide children from underserved areas with better access to meals served through the summer food service program for children and certain child care programs; to the Committee on Education and Labor.

By Mr. BARTON of Texas (for himself, Mr. AKIN, Mrs. BACHMANN, Mr. BACHUS, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mrs. BLACKBURN, Mr. BLUNT, Mr. BOEHNER, Mrs. BONO MACK, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BURGESS, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CANTOR, Mrs. CAPITO, Mr. CARTER, Mr. CASSIDY, Mr. CHAFFETZ, Mr. CONAWAY, Mr. CULBERSON, Mr. DAVIS of Kentucky, Ms. FALLIN, Mr. FLAKE, Mr. FLEMING, Mr. GALLEGLY, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GRAVES, Mr. GRIFFITH, Mr. HALL of Texas, Mr. HASTINGS of Washington, Mr. HERGER, Mr. HOEKSTRA, Mr. ISSA, Ms. JENKINS, Mr. JORDAN of Ohio, Mr. KING of Iowa, Mr. KLINE of Minnesota, Mr. LATTA, Mr. LEWIS of California, Mr. LUCAS, Mr. LUETKEMEYER, Mr. MANZULLO, Mr. MCCARTHY of California, Mr. MCCAUL, Mr. MCCOTTER, Mr. MCHENRY, Mrs. MCMORRIS RODGERS, Mrs. MILLER of Michigan, Mr. GARY G. MILLER of California, Mr. TIM MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mr. NUNES, Mr. OLSON, Mr. PENCE, Mr. PITTS, Mr. PRICE of Georgia, Mr. ROGERS of Alabama, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Mr. SCALISE, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. STEARNS, Mr. SULLIVAN, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. UPTON, Mr. WESTMORELAND, Mr. WHITFIELD, Mrs. MYRICK, Mr. WILSON of South Carolina, Mr. YOUNG of Alaska, Mr. BISHOP of Utah, Mrs. EMERSON, Mr. GOODLATTE, Mr. LINDER, Mr. MORAN of Kansas, and Mr. ROE of Tennessee):

H.J. Res. 77. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act; to the Committee on Energy and Commerce.

By Mr. BRIGHT (for himself, Mr. BISHOP of Georgia, Mr. BOYD, Ms. HERSETH SANDLIN, Mr. HILL, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. BARROW, Mr. MELANCON, Mr. CHILDERS, Mr. MINNICK, Mr. BOSWELL, Mr. COOPER, Ms. MARKEY of Colorado, Mr. SALAZAR, Mr. TAYLOR, Mr. THOMPSON of California, Mr. MCINTYRE, Mr. MOORE of Kansas, Mr. MATHESON, Mr. TANNER, Mr. BOREN, Mr. ELLSWORTH, Mr. ROSS, Mr. BERRY, Mr. DAVIS of Tennessee, Mr. MICHAUD, Mr. DONNELLY of Indiana, Ms. HARMAN, Mr. KRATOVIL, Mr. MARSHALL, Ms. GIFFORDS, Mr. NYE, Mr. CARDOZA, Mr. WILSON of Ohio, Mr. CUELLAR, and Mr. COSTA):

H.J. Res. 78. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia:

H. Con. Res. 244. Concurrent resolution expressing support for the designation of March 20 as a National Day of Recognition for Long-Term Care Physicians; to the Committee on Oversight and Government Reform.

By Mr. LANCE (for himself and Mr. HOLT):

H. Con. Res. 245. Concurrent resolution recognizing the life-saving role of ostomy care and prosthetics in the daily lives of hundreds of thousands of people in the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERRIELLO (for himself, Mr. OBERSTAR, Mr. DEFAZIO, Mr. COSTELLO, Ms. NORTON, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. CARNEY, Mr. COHEN, Mr. GARAMENDI, Mr. HARE, Mr. HOLDEN, Mrs. NAPOLITANO, Ms. RICHARDSON, Mr. SIRES, Mr. CAPUANO, Mr. BISHOP of New York, Mr. FILNER, and Ms. TITUS):

H. Res. 1125. A resolution supporting the goals and ideals of National Public Works Week, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DOGGETT (for himself, Mr. CLYBURN, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. NEAL of Massachusetts, Mr. TOWNS, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Mr. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. LYNCH, Mr. SERRANO, Mr. GONZALEZ, Mr. WALZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUELLAR, and Mr. ORTIZ):

H. Res. 1127. A resolution expressing concern regarding the suicide plane attack on Internal Revenue Service employees in Austin, Texas; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. FLAKE, Mr. DONNELLY of Indiana, Mr. COURTNEY, Mr. LANCE, Mr. PAUL, Mr. HARE, Mr. COBLE, Mr. MOORE of Kansas, Mr. BOSWELL, Mr. NYE, Mr. BOREN, Mr. MARSHALL, Mrs. LUMMIS, Mr. MELANCON, Mr. ARCURI, Ms. HIRONO, Mr. ELLSWORTH, Ms. WASSERMAN SCHULTZ, Mr. PASTOR of Arizona, Ms. GIFFORDS, Ms. SLAUGHTER, Mr. MITCHELL, Mrs. CAPPS, Mr. BOUSTANY, Mr. GRIFFITH, Mr. DAVIS of Kentucky, Mr. FARR, Ms. MCCOLLUM, Ms. ROYBAL-ALLARD, Ms. CHU, Ms. TSONGAS, Mr. SNYDER, Mrs. LOWEY, Mr. PRICE of North Carolina, Mr. PLATTS, Mr. VAN HOLLEN, Mr. MURPHY of New York, Mr. MORAN of Virginia, Ms. ZOE LOFGREN of California, Mr. OLSON, Mr. JONES, Ms. WOOLSEY, Ms. HARMAN, Mr. BRADY of Texas, and Mr. ROE of Tennessee):

H. Res. 1128. A resolution thanking Vancouver for hosting the world during the 2010 Winter Olympics and honoring the athletes from Team USA; to the Committee on Foreign Affairs.

By Mr. COFFMAN of Colorado:

H. Res. 1129. A resolution expressing the sense of the House that the Secretary of the Treasury should direct the United States Executive Directors to the International Monetary Fund and the World Bank to use the voice and vote of the United States to oppose making any loans to the Government of Antigua and Barbuda until that Government cooperates with the United States and compensates the victims of the Stanford Financial Group fraud; to the Committee on Financial Services.

By Mr. FRANK of Massachusetts (for himself, Mr. MCGOVERN, Mr. TIERNEY, Mr. OLVER, Mr. COSTA, Mr. LANGEVIN, Mr. CARDOZA, Mr. LYNCH, and Mr. NUNES):

H. Res. 1130. A resolution expressing support for the people affected by the natural disasters on Madeira Island; to the Committee on Foreign Affairs.

By Ms. FUDGE:

H. Res. 1131. A resolution expressing support for designation of the week of April 18, 2010, through April 23, 2010, as National Assistant Principals Week; to the Committee on Education and Labor.

By Mr. HEINRICH (for himself, Mr. TEAGUE, and Mr. LUJÁN):

H. Res. 1132. A resolution honoring the USS New Mexico as the sixth Virginia-class submarine commissioned by the U.S. Navy to protect and defend the United States; to the Committee on Armed Services.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. DAVIS of Illinois, Mr. LIPINSKI, Ms. FUDGE, Mr. GRAYSON, Ms. WATSON, Ms. MOORE of Wisconsin, Mr. BARROW, Mr. COHEN, Mr. MEEK of Florida, Mr. HARE, Ms. NORTON, Mrs. CHRISTENSEN, and Mr. KISSELL):

H. Res. 1133. A resolution recognizing the extraordinary number of African-Americans who have overcome significant obstacles to enhance innovation and competitiveness in the field of science in the United States; to the Committee on Science and Technology.

By Mr. MCCAUL (for himself and Mr. WALZ):

H. Res. 1134. A resolution mourning the loss of Vernon Hunter and honoring the service of Robin De Haven and the first responders to the attack on the Internal Revenue Service in Austin, Texas; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 55: Mr. HINCHEY.
H.R. 208: Mr. RAHALL.
H.R. 227: Mr. MORAN of Kansas.
H.R. 272: Mr. SMITH of Texas.
H.R. 297: Mr. WALZ.
H.R. 412: Mrs. LOWEY.
H.R. 417: Ms. NORTON.
H.R. 442: Mr. BOYD.
H.R. 450: Ms. JENKINS.
H.R. 537: Mr. DAVIS of Kentucky.

H.R. 557: Mr. GRIFFITH, Ms. JENKINS, and Mr. ROGERS of Alabama.
H.R. 572: Ms. NORTON.
H.R. 658: Mr. MARSHALL.
H.R. 667: Mr. OWENS and Mr. COURTNEY.
H.R. 673: Mr. YOUNG of Alaska.
H.R. 675: Mr. YOUNG of Alaska.
H.R. 690: Mr. KIND.
H.R. 734: Mr. TIM MURPHY of Pennsylvania, Mr. KIRK, Mr. SHERMAN, Ms. SPEIER, Mr. MITCHELL, and Ms. CHU.
H.R. 795: Mr. CUMMINGS.
H.R. 832: Mr. WEINER.
H.R. 919: Mr. WEINER.
H.R. 946: Ms. NORTON.
H.R. 949: Mr. SCOTT of Virginia.
H.R. 994: Mr. MCKEON.
H.R. 1039: Mr. GERLACH.
H.R. 1074: Mr. SAM JOHNSON of Texas, Mr. RAHALL, and Mr. GARRETT of New Jersey.
H.R. 1083: Mr. ELLSWORTH.
H.R. 1085: Mr. TIBERI.
H.R. 1126: Mr. WEINER.
H.R. 1137: Mr. LUCAS.
H.R. 1175: Mr. MCGOVERN.
H.R. 1177: Mr. HEINRICH.
H.R. 1203: Mr. CARDOZA and Mr. SCOTT of Virginia.
H.R. 1204: Mr. FORTENBERRY.
H.R. 1205: Ms. DELAURO, Mr. KLEIN of Florida, and Mr. GUTIERREZ.
H.R. 1206: Mr. KLINE of Minnesota.
H.R. 1208: Mr. PITTS and Mr. LEE of New York.
H.R. 1210: Mr. EHLERS.
H.R. 1240: Mr. ADERHOLT, Mr. BISHOP of Utah, Mr. HARPER, and Mr. CHANDLER.
H.R. 1283: Ms. BORDALLO.
H.R. 1305: Mr. PASTOR of Arizona.
H.R. 1314: Mr. BACA.
H.R. 1340: Mr. OLVER.
H.R. 1409: Mr. GARAMENDI.
H.R. 1526: Ms. JACKSON LEE of Texas, Mr. BOREN, and Mr. WAXMAN.
H.R. 1547: Mr. RUPPERSBERGER.
H.R. 1552: Mr. BARTON of Texas.
H.R. 1618: Ms. CHU.
H.R. 1670: Mr. MILLER of North Carolina.
H.R. 1681: Mr. MURPHY of Connecticut.
H.R. 1775: Ms. NORTON.
H.R. 1778: Ms. MARKEY of Colorado and Mr. TAYLOR.
H.R. 1806: Mr. ISRAEL and Ms. RICHARDSON.
H.R. 1826: Ms. KILROY.
H.R. 1836: Ms. GIFFORDS.
H.R. 1844: Ms. BORDALLO.
H.R. 2000: Mr. INGLIS, Mr. WU, Mr. COSTELLO, Mr. OLVER, Mr. LOBIONDO, Mr. HINCHEY, Mr. CASTLE, Mr. ENGEL, and Mr. KING of New York.
H.R. 2006: Mr. SCHAUER.
H.R. 2030: Mr. MARKEY of Massachusetts.
H.R. 2085: Mr. KANJORSKI.
H.R. 2112: Mr. LEE of New York.
H.R. 2149: Mr. MARKEY of Massachusetts.
H.R. 2159: Mr. QUIGLEY.
H.R. 2160: Mr. REHBERG.
H.R. 2254: Mr. HILL and Mr. WU.
H.R. 2324: Ms. WATERS.
H.R. 2377: Mr. ROGERS of Michigan.
H.R. 2378: Mr. TURNER.
H.R. 2382: Mr. RAHALL.
H.R. 2478: Mr. WELCH.
H.R. 2555: Mr. BACA.
H.R. 2565: Mr. KAGEN.
H.R. 2567: Mr. LARSEN of Washington.
H.R. 2754: Mr. WELCH.
H.R. 2782: Mr. HEINRICH.
H.R. 2799: Mr. PLATTS, Mr. TERRY, and Mr. NYE.
H.R. 2824: Mr. LEE of New York.
H.R. 2842: Mr. GINGREY of Georgia.
H.R. 2859: Mr. FARR.
H.R. 2891: Mr. DEFAZIO, Mr. COURTNEY, Mr. ARCURI, and Mr. HASTINGS of Florida.
H.R. 2969: Ms. DELAURO.
H.R. 2976: Mrs. CAPPS.
H.R. 3048: Ms. SCHAKOWSKY.
H.R. 3070: Ms. SHEA-PORTER.
H.R. 3116: Mr. WILSON of Ohio.
H.R. 3178: Ms. GIFFORDS.
H.R. 3380: Mr. RAHALL, Mr. ROHRABACHER, Ms. SHEA-PORTER, Ms. CORRINE BROWN of Florida, Mr. MCGOVERN, Mr. COHEN, Mr. STUPAK, Mr. ISSA, Mr. EHLERS, Ms. WOOLSEY, Mr. MEEKS of New York, Mr. BILBRAY, Ms. JACKSON LEE of Texas, Mrs. LOWEY, Mr. MARKEY of Massachusetts, and Mrs. MCCARTHY of New York.
H.R. 3415: Mr. GORDON of Tennessee and Mr. WHITFIELD.
H.R. 3464: Mr. HOLDEN and Mr. OBEY.
H.R. 3488: Mr. MOORE of Kansas.
H.R. 3502: Mr. DRIEHAUS, Mr. COURTNEY, and Mr. OLVER.
H.R. 3526: Ms. NORTON.
H.R. 3586: Mrs. SCHMIDT.
H.R. 3656: Ms. ZOE LOFGREN of California.
H.R. 3657: Ms. SHEA-PORTER.
H.R. 3721: Mr. BOSWELL.
H.R. 3758: Mr. BOUCHER.
H.R. 3764: Ms. WASSERMAN SCHULTZ, Mr. WELCH, and Mr. WAXMAN.
H.R. 3765: Mr. GUTHRIE.
H.R. 3790: Mr. GINGREY of Georgia, Mr. SPACE, and Mr. NUNES.
H.R. 3813: Mr. BOREN.
H.R. 3943: Ms. BALDWIN and Mr. LARSON of Connecticut.
H.R. 3990: Mr. YOUNG of Alaska.
H.R. 4001: Ms. MATSUI and Mr. GARAMENDI.
H.R. 4028: Mr. MICHAUD.
H.R. 4036: Ms. LEE of California.
H.R. 4091: Ms. WASSERMAN SCHULTZ and Ms. ROS-LEHTINEN.
H.R. 4109: Ms. NORTON.
H.R. 4128: Mr. CAPUANO and Mr. FARR.
H.R. 4149: Mr. GRIJALVA.
H.R. 4189: Mr. HELLER.
H.R. 4190: Mrs. CAPPS.
H.R. 4196: Mr. JOHNSON of Georgia.
H.R. 4197: Mr. DEFAZIO.
H.R. 4202: Mr. MAFFEI, Mr. ROTHMAN of New Jersey, and Mr. STARK.
H.R. 4203: Ms. CASTOR of Florida.
H.R. 4241: Ms. TITUS, Mr. TOWNS, Mr. HINCHEY, and Mr. COOPER.
H.R. 4255: Mr. BARRETT of South Carolina and Mr. KAGEN.
H.R. 4274: Ms. JACKSON LEE of Texas, Ms. SCHAKOWSKY, and Ms. NORTON.
H.R. 4278: Mr. MCDERMOTT.
H.R. 4301: Mr. BLUMENAUER.
H.R. 4309: Mr. KAGEN.
H.R. 4321: Mr. ACKERMAN.
H.R. 4329: Mr. GOODLATTE.
H.R. 4343: Mr. LEWIS of Georgia and Ms. CLARKE.
H.R. 4386: Mr. WAXMAN.
H.R. 4400: Ms. RICHARDSON, Ms. DELAURO, Mr. MOORE of Kansas, Ms. MARKEY of Colorado, Ms. NORTON, and Mr. DOGGETT.
H.R. 4404: Ms. MOORE of Wisconsin, Ms. CORRINE BROWN of Florida, Ms. NORTON, Mr. AL GREEN of Texas, Mr. RUSH, Mr. BARROW, Mr. SABLAN, Mr. FILNER, and Mr. BACA.
H.R. 4405: Mr. GEORGE MILLER of California and Mr. PRICE of North Carolina.
H.R. 4413: Mr. POLIS.
H.R. 4420: Mr. DOYLE.
H.R. 4446: Mr. GRIJALVA.
H.R. 4465: Mr. COURTNEY.
H.R. 4477: Mr. HINCHEY, Mr. ROTHMAN of New Jersey, Ms. SCHWARTZ, Mr. ELLISON, Mr. PAUL, and Mr. COHEN.
H.R. 4488: Mr. YOUNG of Alaska.
H.R. 4497: Mr. KISSELL, Ms. HERSETH SANDLIN, and Mr. KILDEE.
H.R. 4509: Mr. GENE GREEN of Texas.
H.R. 4529: Mr. PAULSEN and Mr. INGLIS.
H.R. 4530: Ms. TITUS.
H.R. 4537: Mr. FILNER, Mr. GRIJALVA, Mr. HIMES, Mr. HOLT, Mr. MILLER of North Carolina, Ms. ROYBAL-ALLARD, Mr. PASCRELL, and Mr. PAYNE.
H.R. 4541: Mr. OWENS, Mr. COURTNEY, and Mrs. NAPOLITANO.
H.R. 4545: Mr. PERRIELLO and Mr. THOMPSON of Mississippi.
H.R. 4551: Mr. LATOURETTE.
H.R. 4554: Mr. KAGEN.
H.R. 4557: Ms. NORTON and Ms. SCHAKOWSKY.
H.R. 4564: Ms. SHEA-PORTER, Mr. BACA, Ms. ROYBAL-ALLARD, Mrs. LOWEY, Mr. ANDREWS, Mr. WU, Ms. KAPTUR, Mr. WATT, Ms. FUDGE, Ms. BALDWIN, Ms. JACKSON LEE of Texas, Mr. SCOTT of Virginia, Mr. SCHIFF, Mrs. DAVIS of California, Mr. BERMAN, Mr. JACKSON of Illinois, Ms. BORDALLO, Mr. HINCHEY, Mr. OLVER, Mr. CONYERS, Ms. CLARKE, Ms. KILPATRICK of Michigan, Mr. ENGEL, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. CLYBURN, Mr. LOEBSACK, and Ms. NORTON.
H.R. 4572: Mr. WHITFIELD.
H.R. 4573: Ms. BERKLEY, Ms. SCHAKOWSKY, Mr. JACKSON of Illinois, Mr. GUTIERREZ, Mr. GRIJALVA, Mr. GARAMENDI, Mr. MOORE of Kansas, Mr. OBERSTAR, Mr. HINOJOSA, Mr. STARK, Mr. CAPUANO, Ms. NORTON, Ms. SPEIER, Mr. RUSH, Mr. SCOTT of Virginia, Mr. CROWLEY, and Mr. CLAY.
H.R. 4601: Mr. WU, Mr. KING of New York, and Ms. SCHAKOWSKY.
H.R. 4616: Mr. FILNER.
H.R. 4629: Mr. STUPAK.
H.R. 4630: Mr. HIMES.
H.R. 4638: Mr. BISHOP of Georgia.
H.R. 4640: Mr. MANZULLO, Mr. HEINRICH, and Mr. OLSON.
H.R. 4647: Mr. KIRK, Mr. MCGOVERN, Mr. ROTHMAN of New Jersey, Mr. JOHNSON of Georgia, Mrs. LOWEY, and Mr. TANNER.
H.R. 4648: Mr. CANTOR and Mr. BOEHNER.
H.R. 4649: Mr. SHULER, Mr. BURTON of Indiana, Mr. WOLF, and Mr. KIRK.
H.R. 4662: Mr. PAUL.
H.R. 4674: Mr. HOLDEN.
H.R. 4678: Mr. GARAMENDI and Mr. DAVIS of Tennessee.
H.R. 4684: Mr. PALLONE.
H.R. 4690: Mrs. CAPPS and Mr. CLEAVER.
H.R. 4692: Mr. HINCHEY and Mr. KISSELL.
H.R. 4693: Ms. NORTON, Mr. MCGOVERN, Mr. LUETKEMEYER, Mr. WILSON of South Carolina, Mrs. MCMORRIS RODGERS, Ms. GIFFORDS, Mr. FILNER, Mr. KISSELL, Mr. COURTNEY, Mr. KENNEDY, and Ms. MCCOLLUM.
H.R. 4700: Mr. ANDREWS, Mr. WU, Mr. GRAYSON, Mr. POLIS, Mr. SMITH of Washington, Mr. MICHAUD, Mr. YARMUTH, Mr. HARE, Mr. KUCINICH, Ms. SCHAKOWSKY, Mr. CONYERS, Mr. LARSON of Connecticut, Mr. KENNEDY, Mr. PETERSON, and Mr. DAVIS of Tennessee.
H.R. 4705: Mr. GRAVES.
H.R. 4710: Mr. MEEK of Florida.
H.J. Res. 43: Mr. MACK.
H.J. Res. 74: Mr. WELCH and Mr. RYAN of Ohio.
H.J. Res. 76: Mr. BERRY, Mr. BISHOP of Georgia, Mr. BOSWELL, Mr. HOLDEN, Mr. TAYLOR, and Mr. BRIGHT.
H. Res. 111: Mr. MCGOVERN, Mr. CANTOR, and Mr. THOMPSON of Pennsylvania.
H. Res. 362: Ms. MOORE of Wisconsin.
H. Res. 615: Mr. MCCOTTER.
H. Res. 699: Mr. TIAHRT and Mr. SNYDER.
H. Res. 704: Mr. BACHUS, Mr. GUTHRIE, Mr. BAIRD, Mr. TIM MURPHY of Pennsylvania, Mr. SOUDER, Mr. RYAN of Ohio, Mr. KIRK, Mr. EHLERS, Mr. MAFFEI, Mr. KILDEE, Mr. SCHAUER, Ms. TSONGAS, and Mr. SCHIFF.
H. Res. 747: Mr. SNYDER.
H. Res. 764: Mr. MARKEY of Massachusetts.
H. Res. 812: Mr. SNYDER and Mr. GONZALEZ.
H. Res. 925: Mrs. MILLER of Michigan.
H. Res. 936: Mr. MURPHY of New York and Mr. SMITH of Washington.
H. Res. 947: Mr. FILNER.
H. Res. 989: Mr. GRIJALVA and Mrs. MALONEY.

H. Res. 1026: Mr. GARY G. MILLER of California and Mr. ALEXANDER.

H. Res. 1055: Mr. NYE and Mr. ENGEL.

H. Res. 1063: Mr. BROUN of Georgia.

H. Res. 1078: Mr. SNYDER, Mr. COBLE, Ms. FOXX, Mr. RUSH, Mr. BOUCHER, Mr. KISSELL, and Mr. CONAWAY.

H. Res. 1079: Mr. HALL of Texas and Mr. SMITH of New Jersey.

H. Res. 1086: Mrs. BONO MACK.

H. Res. 1091: Mr. MCGOVERN, and Mr. PAYNE.

H. Res. 1096: Mr. DRIEHAUS, Mr. POLIS, Mr. LARSON of Connecticut, Mr. SABLAN, Ms. EDWARDS of Maryland, and Mr. LEWIS of Georgia.

H. Res. 1097: Ms. GIFFORDS, Mr. SMITH of Nebraska, Mrs. BIGGERT, and Mr. FOSTER.

H. Res. 1102: Ms. LEE of California.

H. Res. 1111: Mr. GERLACH.

H. Res. 1116: Mr. GRIJALVA, Mr. WALDEN, Ms. NORTON, Mr. TURNER, Mr. MCGOVERN, Mr. ELLISON, Mr. SERRANO, Ms. KILROY, Mr. VAN HOLLEN, and Mr. WOLF.

H. Res. 1120: Mr. MCCAUL, Mr. CARTER, Mr. PAUL, Mr. BURGESS, Mr. NEUGEBAUER, Mr. CONAWAY, Mr. OLSON, Mr. CULBERSON, Mr. SMITH of Texas, Mr. BARTON of Texas, Ms. GRANGER, and Mr. SAM JOHNSON of Texas.

H. Res. 1122: Mr. STEARNS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative GEORGE MILLER of California, or a designee, to H.R. 4247, the Preventing Harmful Restraint and Seclusion in Schools Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by our guest Chaplain, Rev. John L. Beaver, who is the national chaplain for the American Legion.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty Father, we thank You for life, truth, and love which comes from You, for love because it embraces all of us and for Your comforting assurance that You are guiding our great Nation.

We humbly ask for Your light of wisdom to be given to each Member of the Senate so that they may discern what is truth from error. Guide and direct our beloved Senators from across this Nation with a compassionate heart in making difficult decisions. Father, help us to learn and to know Your will in all things.

Lord, we ask for Your protective shield around our military men and women. Be with their families as they wait eagerly for their safe return and give comfort to our wounded warriors in body, mind, and spirit. Comfort those who are now grieving the loss of their loved ones.

Bless all our veterans and military organizations who serve from their hearts. Strengthen us in heart, mind, and spirit as we serve You, our God, and our beloved Nation. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 2, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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.

ORDER OF BUSINESS

Mr. REID. Madam President, I have a few things to say, but it is my understanding that the distinguished Senator from Maine wishes to make a unanimous-consent request, so I will yield to her for that purpose.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Thank you, Madam President, and I thank the distinguished Democratic leader.

UNANIMOUS-CONSENT REQUEST—H.R. 4691

Ms. COLLINS. Madam President, on my own behalf and on behalf of numerous members of the Republican caucus who have expressed concerns to me, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4691, with 1 hour of debate equally divided between the leaders or their designees, and that following the use or yielding back of time, the bill be read a third time and the Senate proceed to a vote on passage.

Madam President, this is the House-passed bill that extends for 30 days the following expiring provisions: unemployment insurance, which is so important to those who are struggling—there are 500 Mainers whose benefits expired on Sunday; the COBRA health insurance extension subsidies for the unemployed; important flood insurance; highway funding; small business loans; the provisions of the American Recovery Act that include those small business loan provisions; the doctors fix. If we do not act, physicians all across this country are going to have a 21-percent cut in their Medicare reimbursements.

I hope we can act together for the American people. Again, I want to emphasize that this issue is so important to Senators on both sides of the aisle. Many of my colleagues have expressed concerns to me that this was not done last week when it should have been done. So, Madam President, I do propose the unanimous-consent request.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader is recognized.

Mr. REID. Reserving the right to object, Madam President, I appreciate the efforts of my friend, the Senator from Maine, and I would hope my

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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friend, the Senator from Kentucky, would reconsider. His point has been made. It has been adequately made. I would hope he would let us proceed on this because it is more than meets the eye. We have people lined up all over the country in unemployment lines who would not be there but for this.

I would also say it is broader than even that. As my friend mentioned, we have problems with doctors who are now refusing to take Medicare patients.

We have a bill that is on the floor now in which we are going to try to make a long-term decision soon on this. I have offered my friend from Kentucky a right to vote on this—I would be happy to have a vote on this—that it be paid for. But it is really not appropriate to object without even allowing the Senate to work. We talk about voting. That is why we need to vote.

I say to my friend from Kentucky, you have made your point. You have made it well. I understand how you feel that this should be paid for. The majority of the Senate disagrees with you. Let us either vote on that or withdraw your objection.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BUNNING. There is. I object. And let me——

The ACTING PRESIDENT pro tempore. Objection is heard.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, there will be a period of morning business for 1 hour, with Senators allowed to speak for up to 10 minutes each. The Republicans will control the first half and the majority will control the second half. Following morning business, the Senate will turn to executive session to consider the nomination of Barbara Keenan to be a U.S. circuit judge for the Fourth Circuit, with the time until 12:15 p.m. equally divided and controlled between Senators LEAHY and SESSIONS or their designees. At 12:15 p.m., the Senate will proceed to a cloture vote on the nomination. That will be the first vote of the day, unless something comes up in the interim that necessitates a vote.

UNEMPLOYMENT BENEFITS

Mr. REID. Madam President, just a few words on what has been happening here recently. Certainly, there is an emergency. Our economy is suffering. There is not a State that is not hurting. Some States are hurting worse than others. This is a filibuster, and we are in the middle of a very important piece of legislation. I do not think it would be appropriate to take 10 days—is what it would take, a week or 10 days—to try to get a 30-day extension when we have all these other things that are waiting to be done that relate directly to this. It just is not appropriate.

What is a filibuster? If you look in the dictionary, Madam President—this was handed to me by the distinguished Senator from Michigan, Ms. STABENOW—if you look in the Oxford English Dictionary, a filibuster is a ''freebooter. One of a class of piratical adventurers who pillaged the Spanish colonies in the West Indies during the 17th century.'' A freebooter is ''one who engages in unauthorized and irregular warfare against foreign states. A pirate craft.'' In the United States: ''To obstruct progress in a legislative assembly; to practice obstruction.'' That is what this is all about—to practice obstruction. We are not preventing a vote. We are not preventing a vote. We want a vote to take place.

My friend from Kentucky has raised an issue. He thinks it should be paid for. I believe it is an emergency, as it always has been when people are out of work for long periods of time. It is an emergency. We should be able to vote on what the Senator feels is appropriate; that is, that this be paid for, that it is not an emergency. These long lines of people who are out of work is not an emergency is what he believes. I believe they are.

I think it is terribly inappropriate that this filibuster is being conducted. And to even make it worse, Madam President, we have people coming defending my friend from Kentucky. I will defend him on a lot of things but not on this. I think it is very out of line.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Madam President, the American people have spoken loudly and clearly on the issue of health care reform. They overwhelmingly favor a plan that addresses our problems step by step. They want a plan that lowers the cost of health care without expanding the role of government and without raising taxes or cutting Medicare. They want us to focus on cost.

Unfortunately, Democrats here in Washington either have not gotten the message or they are ignoring it. We know this because after a year of protests, three statewide elections in New Jersey, Virginia, and Massachusetts, and the clear verdict of every public opinion survey, Democrats in Washington are now planning one last-ditch effort to get their plan through Congress and past the American people.

The sad fact is that Washington Democrats are so wedded to the notion that they know better than the general public when it comes to health care that they are about to reject any pretense of bipartisanship in order to jam their plan through Congress by the narrowest margin possible whether people want it or not—a raw exercise of legislative power that Senator BYRD, our resident Senate historian, has described within the last year as an undemocratic outrage on a piece of legislation this far-reaching.

Some on the other side are clearly worried about the consequences of taking such a drastic step. They are wondering whether they should risk the full fury of the public by using these extreme tactics to circumvent the will of their constituents. Democratic leaders are telling them not to worry. They are telling them people will forget about the process once their plan becomes law. Well, they are wrong. Americans are not going to forget if Democrats do this to their health care system.

Wavering Democrats need to realize that there is a better way. Last week, the President and other Democrats acknowledged a number of areas of agreement between the two parties. These are the ideas that could form the solid basis of a fresh start on health care reform. These are the ideas that could form the basis of the kind of step-by-step bipartisan reform Americans really want.

Americans do not want the one-party bill Democrats in Washington are planning to force on them, or any variation of it, and they do not want Democrats to push it through with even more backroom deals. Americans are already seething about the kinds of deals that were used to get the earlier version of this bill through Congress. The ''Cornhusker kickback'' and the ''Louisiana purchase'' became household expressions. But using reconciliation to jam this health care plan through would make the ''Cornhusker kickback'' look like an exercise in good government.

Using reconciliation to fundamentally change the health care of every American would be one of the most brazen single-party power grabs in legislative history. It would be the death of bipartisanship. And Americans will not stand for it. They know bills of this scope only work if they are done along bipartisan lines.

Medicare and Medicaid were created with the support of about half the members of the minority party. The Voting Rights Act passed with 30 Republican and 47 Democratic votes. Only Six Senators voted against the Social Security Act. Only eight voted against No Child Left Behind or the Americans with Disabilities Act. Only 12 voted against the Welfare Reform Act. Big bills are passed with big majorities, and rarely has there been a bigger bill than that. So if ever there was a time not to depart from a bipartisan approach, it is now—right now.

Democrats are saying they want a simple up-or-down vote on health care. What they want is to jam their vision of health care through Congress over the objections of a public they seem to think is too ill-informed to notice. If

they go ahead with this plan, they will see how wrong they are. I know the argument has been made by the leaders on the other side: Let's get this issue behind us; it will get better. If they pass this, it will not be behind them; it will be in front of them—right in front of them. Americans are engaged in this debate in a way I have never seen in my entire career here. They know exactly what is going on. They will make sure their voices and their will is felt one way or another.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Kentucky is recognized.

BIPARTISANSHIP

Mr. BUNNING. Madam President, I wish to respond to the Democratic leader, particularly in view of what my leader just said about bipartisanship.

It seems that last week there was a bipartisan agreement between the members of the Finance Committee on the very issue the Democratic leader spoke on. It was called the Baucus-Grassley compromise bill. It never got to the floor of the Senate. That was a bipartisan bill that was set aside for a very partisan bill that Senator REID brought to the floor and rammed through instead of the bipartisan bill, which had all these extended benefits included in it: extended unemployment benefits, COBRA health care assistance, flood insurance, highway bill assistance, the Medicare doc fix, small business loans, distant network channel for rural satellite television, and other things.

It is hypocritical of the Democratic side of this aisle passing a pay-go bill. What does pay-go mean? It means you pay for the bills as they appear on the floor of the Senate. Then, to present a bill that is not paid for or just paid for a little bit—one-third of it is paid for—and that was the Reid jobs bill he presented to us. Five billion dollars was paid for; ten billion dollars was not. Then, immediately follows a UC, which is not—which is not—something we normally do. We have unanimous consents that are much different than this. This is a House bill they have asked unanimous consent to proceed on. Regular order could prevail and the leader of this Senate could put this bill under cloture and get his vote. He will get his 60-plus votes and normal procedure will occur. That is the normal way to deal with this bill.

Just so my colleagues understand that not all Americans feel the same as my dear friend from Maine and the majority leader of the Senate, I am going to read a letter into the RECORD from a constituent of mine from Louisville.

I am going to read it also because it is very important people understand there are other sides of this.

> Dear Senator Jim Bunning:
>
> I haven't worked a full 40-hour week in probably 2 years now, but I fully support your decision to stand up to those in Congress who want to do nothing more than to spend the taxpayers' money, even the money they do not have, on unemployment extension benefits.
>
> So far this year I have worked a total of one week here in Louisville, Kentucky. My employer is a sheet metal fabrication plant with its main headquarters based in Cincinnati, Ohio. Normally the Louisville branch would employ upwards of fifty people on any given day if business were good. Recently that number has dwindled to about four.
>
> This country is sooner or later going to implode because of the massive amount of debt run up over the past 40 to 50 years. Selling the Nation's soul to countries like Communist China in order to finance our life style and allow the government to further debase the currency is sheer lunacy. Throwing away hundreds of billions of dollars so executives on Wall Street can keep their multi-million dollar bonuses while others in society worry about keeping the electricity on and their children fed only helps to move this country closer to a long overdue revolution. The problem is by then we won't even own it anymore.
>
> Politicians, on both sides, enjoy getting up in front of television cameras and talking about their support of the ''pay as you go'' plan, but when it comes down to actually doing what they say, they all run for cover and vote for anything they think will win them another vote or another term. Your stance in holding them to their words and expecting them to actually do what they voted for is a refreshing concept in an otherwise corrupt and hypocritical power base known as Washington, DC.
>
> It is too bad Senator Mitch McConnell and some of the elected officials on your side of the aisle do not have your backbone or your sense of decency when it comes to keeping their promises to the American people.

For security's sake, I am just going to read his first name. It says: Sincerely, Robert, from Louisville.

There is no doubt in anybody's mind that I have supported extension of unemployment benefits, COBRA health care benefits, flood insurance, the highway bill. I was the one who proposed the Medicare doc fix on a permanent basis in the Finance Committee. I have supported small business loans and all the other things that are in this temporary bill.

I wish to set the record straight. The majority leader has all the tools in his kit and he normally exercises them and I think he is about to do that on the bill currently before us, which we call the large jobs bill. He soon will invoke cloture to cut off debate. He normally doesn't even allow amendments. He will file cloture, fill the tree—by filling the tree, that means the amendment tree which allows the Republicans no alternatives but to vote for cloture or not vote for cloture—and then, unfortunately, we have 30 hours of debate immediately following cloture.

UNANIMOUS-CONSENT REQUEST

I am going to propose, one more time, my unanimous-consent request.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4691; that the amendment at the desk which offers a full offset be agreed to; the bill, as amended, be read for a third time and passed, and the motions to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Madam President, reserving the right to object, I am sorry my friend from Kentucky has made this so personal because it shouldn't be the case, but let me review history a little bit.

The Senator from Kentucky talks about the bill we voted on and passed last week as being very partisan. That bill received 70 votes. It was a very nonpartisan bill. I should say it was a bipartisan bill. It received 70 votes. Why did it receive 70 votes? Because it did some great things for America. It extended the highway bill for 1 year, saving 1 million jobs. It gave small businesses the right to write off $250,000 in purchases, stimulating small businesses all over America. It gave employers the ability to hire people who have been out of work for 60 days, and if they hired them, they wouldn't have to pay their FICA tax if they gave them 30 hours a week. Not only that, they get a $1,000 tax credit at the end of the year. This is a good proposal. We also extended Build America Bonds, which are so important to the American Recovery Act, and Democrats and Republicans all over the country—Governors, mayors, county commissioners—loved that proposal. So it was certainly not a partisan bill. He is right. The other bill he talked about wasn't brought to the floor. I would also say this. It was paid for. Not a cent of deficit spending—not a cent.

It is interesting my friend would talk about pay-go. He voted against pay-go. He is talking about pay-go now. He voted against it. He voted against it right here on the Senate floor. If he so likes pay-go, why didn't he vote for it? He voted against it. The Senator from Kentucky voted against pay-go. It has no applicability to the jobs bill that passed because it was paid for.

The doc fix, he talks about having voted for it in committee. He voted against it on the floor.

So my friend is throwing around words such as ''hypocrite.'' People can make their own decision as to who is a hypocrite. I am not calling anyone a hypocrite, although I am just stating the facts: Someone who boasts about the good of pay-go but votes against it

and talks about the doc fix but votes against it.

So I would think my friend from Kentucky should get a different historian to help him with facts because they are simply wrong, and I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Kentucky.

Mr. BUNNING. Madam President, I will only continue for 2 minutes. Why would you vote for a bill when you know it is not going to be honored? Why would you vote for a bill you knew was going to be violated in the first bill brought to the floor after you passed it? As far as the doc fix is concerned, I have a history with the doc fix that I don't need to defend to the majority leader or to anybody in this body. Check with the Kentucky Medical Association and all my doctors whom I represent in Kentucky.

I think the letter of the gentleman from Louisville states the facts better than I. We want a country where my 40 grandchildren have the same abilities I did growing up. We want a country that doesn't owe everybody in the world for our existence.

The question I have been asked mostly is: Why now? Well, why not now? What better time to stand than now, when the majority leader has the ability to do exactly on this bill what he has done on 25 bills in the last 5 months: file cloture, fill the tree, and vote yea or nay, get the 60 votes, pass the bill, and extend these temporary benefits. We may pass this other bill—I hope we do—that will extend them on a permanent basis for a year—until the end of the year, anyway.

I think it is very important that people understand that I have the same right he does. He was elected by the people in Nevada, with fewer people than in Kentucky. So I have the same right as any other Senator here on the floor. It is not a filibuster when you object. That ought to be brought out clearly. A filibuster is when you stand on this floor and you talk and talk and talk. I have not done that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Madam President, I know my friends from Tennessee and Texas wish to speak, but I have to respond because I was mentioned again. I can't match, now or in the past, my friend's fast ball, his curve ball, or his 40 grandchildren. But I do have 16 grandchildren. I do think it is important to understand that the reasoning is a little unusual. He said I wouldn't vote for a bill that I thought would not be upheld at a later time, or procedures in the bill not followed. I don't know why anyone is entitled to be the judge and jury when you pass legislation. And if it is the law, there are ways of upholding that.

With pay-go, we have some experience. We know it works. It worked during the Clinton years. We paid down the national debt as a result of what happened during the Clinton years. Pay-go was dismissed during the Bush years.

My friend talks about the debt. He wants to make sure the debt doesn't go up. Where was he during the Bush years, with two unpaid-for wars, taxes unpaid for, running up trillions of dollars of red ink on the American people? We tried to address that. We asked for a debt commission to be established. We did that by legislation on the floor. My friend didn't vote for that. He didn't vote for pay-go. So we are trying on the floor—we have legislation that will resolve this issue.

What my friend said is a little unusual. He said why doesn't the leader file for cloture, use up a week or 10 days, waste that time, and then hold off getting to all of the other things. That doesn't make sense. It is without any sense, when, in fact, with the Senator withdrawing his objection, we could get it done just like that. We wouldn't have to wait a week or 10 days. He made his stand. I think he is wrong, as do the American people, and as do the people of Kentucky, in spite of the letter from Robert.

Madam President, so that I don't take advantage of my position as being leader, I ask unanimous consent that the time I consumed in my back and forth with Senator BUNNING, which was under Republican control, be charged to leader time.

I wonder if the staff has heard whether Senators SESSIONS and LEAHY wish to take the full hour of time. How much time does my friend from Texas wish?

Mr. CORNYN. About 10 minutes.

Mr. REID. And the Senator from Tennessee is here. If we run into a shortage of time, we will be happy to try to work it out in some way with the minority.

Mr. SCHUMER. Will the leader yield for a brief statement?

Mr. REID. My friend from Texas has been so very patient.

The ACTING PRESIDENT pro tempore. The Republicans control the time.

The Senator from Texas is recognized.

TEXAS INDEPENDENCE DAY

Mr. CORNYN. Madam President, I want to take a few minutes to talk about Texas Independence Day. On this day in 1836, delegates from 59 Texas settlements signed a declaration of their right to live in liberty, and to take charge of their own destiny.

The document they produced shares much in common with the Declaration signed in Philadelphia six decades earlier. For example, both sets of Founders believed in fundamental human rights, including the right to address their government for grievances.

Both groups of Founders insisted on the obligation to change their form of government if it trampled on those rights.

Both groups of Founders created new nations and have been honored by successive generations for creating legacies of liberty.

Of course, there were differences between the conventions of 1776 and 1836, between Philadelphia and Washington-on-the-Brazos. For one thing, the Texans took action quickly. They adopted their declaration on the second day of their convention. They acted quickly because they knew the forces of tyranny were already in the field and at that moment were trying to crush their freedoms.

Less than 200 miles to the west, Santa Anna's army was laying siege to the Alamo. Its young commander, William Barret Travis, had sent out an inspiring letter 6 days earlier. In it he wrote:

> Fellow citizens and compatriots, I am besieged by a thousand or more of the Mexicans under Santa Anna.
>
> The enemy has demanded a surrender. . . . otherwise, the garrison are to be put to the sword. . . . I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender or retreat.

History tells us that death came to the defenders of the Alamo. But soon victory came for the people of Texas. On April 21 of that year, Sam Houston and about 900 Texas soldiers defeated the much larger Mexican army at the battle of San Jacinto. By this victory, Texans won the independence they had declared less than 2 months earlier.

Sam Houston, the commander of those troops and commander in chief of the battle at San Jacinto, served as a Congressman from Tennessee, he served as Governor of Tennessee, and after the battle of San Jacinto, he went on to be elected to the Republic of Texas and became one of the first Texans to serve in the Senate in the seat I currently occupy.

I believe that he and the other founders of our Republic and of our great State would be proud of the 24 million Americans who call Texas home. They would be proud that Texas remains a land of opportunity, and that we are outperforming the Nation in job creation. They would be proud of the fact that Texas remains a welcoming State for pioneers of all stripes, and we have led the Nation in population growth over the last 2 years, as people have voted with their feet and moved to the land of opportunity, otherwise known as Texas.

They would be proud that even during a severe recession we continue to build businesses, raise families, and make our communities even better places to live. Just like the founding generation, we are showing the world that, when faced with adversity, Texans do not retreat, we reload.

In honor of the founders of the Republic of Texas, and all who are free because of their vision and sacrifice, I say: God bless Texas and may God bless the United States of America.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded; I ask unanimous consent that we reserve the Republican time and that I be able to speak for 2 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF UNEMPLOYMENT INSURANCE

Mr. SCHUMER. Madam President, I want to speak about the unemployment situation in my home State of New York. By mid-March, 54,000 people will lose their benefits if we don't move forward with the short-term extension of unemployment insurance. That is tragic. It is virtually inhumane.

I have been around my State meeting with people who are looking for work. You look into their eyes and you feel their pain. Many of them are middle-class people who have had very good-paying jobs. Many of them have lost their jobs. Many lost their jobs more than a year ago and they have spent every day, 7 days a week, looking. I met a woman in Rochester. She was No. 2 in human resources for a big company. Her job was her life. She has been looking for 2 years and can't find a job. I plead with my colleague from Kentucky and all of my colleagues on the other side of the aisle—while we are debating a larger bill to extend unemployment benefits, we must allow this to go forward.

We must allow this short-term extension to go forward for the sake of those people who lost their jobs, through no fault of their own, and they are desperately looking for work, but in this awful economy they can't find it.

According to The Hill newspaper, New York is affected No. 1 by this. It is vital, vital, vital that we move this forward. I plead with my friend from Kentucky to reconsider and let the short-term extension move forward. We have done it before under the same conditions we have asked for this time.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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. SCHUMER. Madam President, I suggest the absence of a quorum and ask that the time during the quorum call not go against the morning business time of either side. I ask that the time now being used in morning business be equally divided.

Mr. BUNNING. Madam President, reserving the right to object.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. BUNNING. I wish to understand what the Senator from New York is trying to do.

Mr. SCHUMER. Will the Senator yield?

Mr. BUNNING. Sure.

Mr. SCHUMER. I am just trying to equally divide the quorum call. I asked unanimous consent that I be allowed to speak for 2 minutes.

Mr. BUNNING. And that was granted.

Mr. SCHUMER. And we go back and everyone get their full allocation of morning business, and that was granted. There was no intention of a quorum call to be taken between either side.

Mr. BUNNING. But that is the normal procedure.

Mr. SCHUMER. I understand.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent to now use time from morning business on this side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNEMPLOYMENT AND COBRA EXTENSIONS

Mrs. MURRAY. Madam President, right now, families across my home State and the entire country want nothing more than to see us come together and pass meaningful help for the people they see struggling every day. They want to see help for people such as their neighbors and friends and family members who, through no fault of their own, have found themselves out of a job and who, despite their best efforts, are unable to find one today. They want help for the seniors in their communities who are being turned away from doctors because of devastating cuts in Medicare reimbursement rates, or all those who are struggling to afford health care because they lost a job and are now facing the impossible task of affording care on their own.

Americans understand that during these difficult times people need help to make ends meet. They understand there needs to be a lifeline for people who never thought they would need assistance from the government but who now have nowhere else to turn. But what Americans and those in my home State of Washington do not understand is why Washington, DC, cannot seem to deliver; why, when they make hard choices every day in their own lives to support their families and help those in need, Washington, DC, cannot do the same; why, at a time when needs have never been greater, the only words they hear out of Washington, DC, are ''gridlock,'' ''stalemate,'' and ''standstill.''

Today we have a clear-cut example to show the American people what is wrong with Washington, DC; that is because today one single Republican Senator is standing in the way of the unemployment benefits of 400,000 Americans. One single Republican Senator is blocking an extension of COBRA benefits for 500,000 Americans. One single Republican Senator is forcing doctors to take a 21-percent cut in Medicare reimbursement rates that could force seniors to be turned away from the Medicare coverage on which they rely. One single Republican Senator is blocking an extension of critical highway funds that has construction workers and transportation employees at home today and that has cut critical payments to struggling States. One single Republican Senator has put posturing before people, politics before families, and point scoring before the needs of struggling Americans.

The legislation we are trying so hard to pass is very straightforward. It is aimed at helping real families with real problems they face every day, and the consequences of it being blocked by one single Republican Senator are just as real.

The bill we are trying to pass includes an extension of unemployment insurance that, by the way, in my home State hundreds of thousands of individuals rely on to buy groceries and to pay their mortgages and to help pay for school for their kids. For years, these benefits have been routinely extended in tough times. And times, by the way, have rarely been tougher than they are now. But today families in every single one of our States are sitting around their kitchen table trying to figure out how they are going to make it through the weeks and the months ahead without these payments.

This package we are trying to pass also includes an extension of COBRA, health care for workers who lost their jobs through no fault of their own, and health care benefits that come with it. In my home State, thousands of unemployed workers have the ability to see a doctor solely because we have provided this important assistance. It is a provision that is critical because health care is often the single biggest cost that unemployed workers face. In fact, you should know on average a monthly health care premium payment to cover a family costs over $1,000, which represents about 80 percent of the average unemployment check.

Another vital health care measure included in this bill we are trying to pass is a provision that would overturn a staggering 21-percent cut in payments to doctors who accept Medicare patients. Just yesterday my office heard from a doctor in a small community in my State, Poulsbo, WA, who is one of very few in the region who is taking new Medicare patients. He said he feared just what this cut would mean for him and his practice. He told my staff this cut would limit his ability to continue serving the needs of seniors in his area.

He is not alone. In Washington State that cut will affect over 60,000 employees, 700,000 Medicare patients, and nearly 350,000 TRICARE patients.

Finally, this bill also includes an extension of the Federal Transportation Funding Act, which is known as SAFETEA–LU. Allowing SAFETEA–LU to expire, which has now happened, not only hurts construction workers and contractors who are working on these major Federal highway projects in my State and across the country, it leaves our State governments bearing all the burden for the costs of these projects.

In Washington State, a reimbursement payment of $13.5 million for federally sponsored projects that is due tomorrow—tomorrow—is now in limbo, again, all because of one single Republican Senator.

Last October, I was out on this floor fighting for an extension of unemployment benefits, and I told the story of a woman from Seattle whose name is Kristina Cruz. At the time, Kristina had been unemployed for 20 months after spending over 10 years in human resources. Kristina had just written to my office and talked about going above and beyond in her job search, a skill, by the way, she picked up in her career in HR. Even with all her experience, interviews for her have been few and far between. Kristina talked about how she was not interested in living off the government long term and how, in the midst of this economic crisis, she did not have any other choice.

Since I talked last October, Kristina has stayed in touch with my office, and, unfortunately, today she is still having a hard time getting back to work. She recently wrote an e-mail to my office and said:

> It's truly devastating to me that I've made choices in my life like getting good grades in school and getting my education, and building up professional experience only to find that I'm unable to get a job.
>
> I thought I had made decisions to help ensure my success in life, and many times, I barely had enough money for food.
>
> My family isn't rich and can't afford to support me. I literally do not know what I'm going to do.

Kristina went on to voice the frustration of so many about the needless holdups in getting this bill passed on providing assistance to struggling Americans. She said:

> I find it to be really egregious that we live in a democratic society and yet a few misguided, outlying voices, despite overwhelming bipartisan majority support, can hold up and block a much needed unemployment extension. It really flies in the face of all the things I've learned about in my history books.
>
> I'm not sure how I can survive many weeks and weeks of needless holdups when I have rent and bills to pay. Sometimes I feel that if some of these Senators were forced to walk a day in our shoes, then maybe they would have a sense of how it is to try and survive in this economy.

That opinion is not unique to my State, to one political party, or to an issue. Every evening, families across the country turn on the nightly news and hear another story about gridlock in our Nation's Capital. Oftentimes they have spent their days scanning through the classifieds, going to another job fair with long lines and few job opportunities, or working many times multiple jobs to meet their families' most basic needs. When they get home, they wonder just how we have spent ours.

What they see is this entire Congress forced to spend time fighting with one Republican Senator; a Congress that is forced to jump through procedural hoops and endure endless delay tactics to get meaningful and, by the way, largely bipartisan legislation passed; the obstruction of a single Republican Senator who, by the way, voted to extend these same benefits in 2008 but who has now suddenly changed his mind.

The entire Republican Party, except for a few who have been out here courageously, sit idly by as one of their members brings this entire body to a halt. The American people are sick of this, and the backlash to the blockage of this bill is evidence of that. It is time for all of us to stop and think. Think about Kristina and all the other Americans who sent us here to go to work for them; the people who will watch the news tonight and think: What about me? What about all of us?

Kristina wrote to me again recently to say it seems as though government is broken. I know that sentiment is something we hear all the time now. But the truth is, it is only broken if we allow it to be. It is only broken if we allow stunts such as is happening now to rule the day. If we can come together and put an end to shortsighted political point scoring that says obstruction is good politics and partisanship trumps progress, then we can help struggling families.

If we can join the way we did to pass the Children's Health Insurance Program or fair pay for women in the workplace, we can then restore the faith of the American people. Until we put an end to delays such as the one we face by one Republican Senator today, Americans are going to continue to have every right to be fed up.

I come to the floor of the Senate today to ask the Senator from Kentucky to allow us to finally move forward with consent on this bill so that Americans can get access to the help they desperately need in these very tough economic times. This is critical. Families across our States are hurting, through no fault of their own, through an economic recession they did not make happen.

We all want our country to get back on its feet. We all want to be strong again. We all want this lifeline for our families so that when our country begins running strong again, they can use the skills they have been holding in abeyance and go back to work; so they can get the health care they need for their children and their families until they can get that job and get moving again; so these construction projects across our country do not come to a slamming halt causing more Americans to sit at home without a paycheck, more Americans who cannot go to the store and buy things; so more stores start to fail because they do not have the income they need, and restaurants where people cannot go because they do not have a paycheck.

We are asking that the Republican colleagues who worked with us on this bill come to the floor and urge one Republican Senator to work with us to get consent so we can move past this and get to the job we have come here to do: to get people back to work, to make sure families have health care, to make sure we do the business of this government in a way that works for American families.

I yield the floor.

Madam President, I suggest the absence of a quorum and ask that it be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The 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.

Mr. CARDIN. Madam President, I ask unanimous consent to speak using the majority time in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CARDIN. Madam President, I take this time to first thank the Democratic leadership for bringing forward a bill that would extend unemployment insurance; COBRA protection, which allows the unemployed to get health insurance; to extend our highway program, and the reimbursement structure for our physicians under Medicare so our seniors can continue to receive the health care they need.

We have a short-term extension that many of my colleagues have been talking about which would extend these programs so there would be no gap in the unemployment insurance protection Americans are currently receiving—or were receiving as of February 28—allowing them to continue getting the COBRA protections and to continue our highway programs. As has been pointed out, one Senator has exercised his right to object, which has caused major problems for this country, and I feel compelled to talk about this because there are real people being hurt by that decision.

We need a short-term extension so we can continue the orderly process. It is the right thing to do. We all talk about jobs; that we need jobs. Each of us is committed to bringing up legislation that will create more job opportunities for Americans, and the bill that would be on the floor would help us in that effort by extending important tax provisions so businesses can invest in more

jobs for Americans, extending unemployment insurance.

Let me point out, for every dollar we spend in unemployment compensation, it brings back $1.90 to our economy. It is the best stimulus dollar you can put out there. It is immediate. This is an insurance program where employees and employers put money away during good times to pay for benefits during recessions and tough times and we are in a tough time. There are millions of Americans who can't find jobs, who are looking for jobs. Americans want to work but can't find work. Many have been looking for work for a long time—for over a year. Now, because of the objection of one Senator, the benefits that should be paid this week cannot be paid this week.

In my own State of Maryland, 16,405 people were cut off as of Monday from their unemployment compensation. Each one of these individuals represents a family, and this insurance provides them the ability to feed their families, to keep their house out of foreclosure. This is wrong. They can't find work because there are not enough jobs out there, and we need to extend this unemployment compensation. I feel confident we will, but it is wrong for us to have this gap because of the objections of one Senator.

This is hurting our economy. That money should be in our economy. The people who receive this unemployment insurance will use it to buy food, to make purchases that will help our economy. Those dollars are being lost because of the objection of one Senator.

The same thing is true with the COBRA protection. COBRA protection says to a person who is unemployed or who has lost their job that we are going to help them maintain their insurance for their family. Now, because of the objections of the Senator, that help is no longer available to those who are unemployed. As of January, there were 6.3 million Americans who had been unemployed for 6 months or longer. Think about that. How can you afford to pay your insurance premiums for health care if you have been unemployed for 6 months? That is why we passed COBRA protection, so those who had lost their jobs could maintain their health insurance for their families, keep them out of bankruptcy, and to make sure, if they had an emergency, their family could get the needed health care and that it is properly reimbursed.

We all agree that should be done, and the underlying bill we will take up today would extend that throughout the year, which is what it should do. But in the meantime, that protection expired on Monday because of the objections of an individual Senator.

There is the short-term extension of the highway program I wish to mention because 2,000 employees in the Department of Transportation got furlough notices because of our failure to extend that program. I can tell you what it means in my own State of Maryland. It halted work on Federal lands. We had a project—the Great Falls entrance road construction, a $3.1 million project in Montgomery County—that was stopped as a result of the failure to pass this short-term extension.

I could talk about the situation in Medicare. CMS is doing everything they can to make sure the physicians—the 600,000 physicians who treat our seniors every day—will continue to participate in the Medicare system. But as of Monday, there was a 21.2-percent cut in physician reimbursement rates. That is unconscionable, unreasonable, and it will deny our seniors access to care.

We need to do this in an orderly way. The overwhelming majority of the Members of Congress supports the extension the majority leader and the assistant majority leader have made repeatedly on the floor to allow for this short-term extension. We need to move forward with that and then let us come to the floor and debate the longer term extensions. I have a feeling, when that vote comes up on the floor of this body, you will see an overwhelming number of Members voting in favor of the extension of unemployment compensation and insurance protection for the unemployed because it is the right thing to do.

It is the right thing to do as a nation in a recession. It is the right thing to do in order to strengthen our economy and create more job opportunities because that money is spent in our communities and it keeps and expands jobs. It must be part of our strategy in creating more job opportunities for Americans.

I take the floor to encourage my colleague to withdraw his objection, let us move forward in a way that is in the interest of the American people and in the interest of our economy so we can continue to see the types of improvements for job opportunity in America. That should be our priority. It is not a partisan issue. It shouldn't be a partisan issue. We need to work together—Democrats and Republicans—and it starts by removing the objection and letting us get this short-term extension and then coming to the floor to debate the bill on the floor that will extend it through the end of the year, as we should. That is what we should be doing today to help the people in Maryland and the people around this Nation and to help our economy grow.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Madam President, I would like to echo the remarks of my very distinguished colleague from Maryland, who I know feels so passionately about this and whose own State will suffer dire individual consequences as the failure of unemployment insurance and COBRA and other things begin to hit home in the personal lives of the people in Maryland, the people in my home State of Rhode Island, and people across this country.

With so many Americans struggling to pay their bills, why—why—did thousands of the worst off, including hundreds of Rhode Islanders, have to wake on Monday morning to find their unemployment benefits and COBRA subsidies had expired? Why are people being kicked out of these essential, humane, lifeline programs before the economic storm that put them in that predicament has passed? The answer is, we have failed to do what is right for the American public, in part, because one Republican has chosen this time of great despair for millions of Americans to make a political point—to make a political point about the deficit—by hurting hard-working Americans who are struggling to get by. It appears it is actually more than just one Republican. Others have come to the floor to support him.

But on the home front, the cost is high. Many Rhode Islanders, through no fault of their own, struggle to find work. For many of them, unemployment insurance and COBRA are the lifeline for their ability to support their families, to keep food on the table, and to keep the family covered by health care. This is no abstract issue. It has had a serious impact in Rhode Island. We are a State of just over 1 million. In that State of just over 1 million people, there are 75,000 people, at least, unemployed and looking for work. These are hard-working people, many of whom have worked all their lives, but because of the recession they struggle to find work.

Margaret from North Providence is 61 years old, and she is 6 months away from being eligible for Social Security. She is years from Medicare eligibility. She has now been unemployed for 18 months and her unemployment benefits are expiring. COBRA, for her, has run out as well, so her health care is at risk. She has never been in this situation before in her life and she is, quite understandably, scared of where our irresponsible action leaves her.

Gretchen from Cranston is a laid-off teacher who was receiving COBRA benefits. That helps her pay for her health care. Because of a single Republican obstruction—apparently supported by others—her premiums have increased from roughly $500 a month to over $2,000 a month. She wrote to me saying:

> How horrifying that I should work hard all my life, paying for my entire education, dedicate my career to helping children in poverty and find that my own may be among them.

Gretchen did not expect to be in poverty. She expected that her COBRA benefits would continue. But no, we have cut those off.

Richard in Warren wrote to me asking for us to move quickly on COBRA. Richard's wife has cancer, so they have no choice but to pay for health care coverage. Since he lost his job, Richard has been paying $400 a month for their

health insurance, but the cost has tripled—tripled—with the expiration of COBRA subsidies. Richard should be able to worry about his family, to be able to help his wife through her cancer treatment. He should not have to worry about the political games being played in Washington and the skyrocketing cost he is looking at. He and his wife should be focusing on her care and her treatment. But no, sadly, obstruction and political point-scoring now come first for some of our colleagues.

Margaret, Gretchen, and Richard—and all those across the country who are facing similar situations—are wondering why they have to pay the price for Republicans to make this point about the deficit. Why them? When it was Halliburton's no-bid contracts in Iraq, for which money was borrowed to fund them, where was the concern about the deficit then? For Halliburton's no-bid contracts, the deficit is no problem, evidently. When it was Part D's colossal handout to the pharmaceutical industry—borrowed money—where was the concern then about the deficit? Not when it is the big interests.

When it was the tax cuts for CEOs—big tax cuts for CEOs, for big bankers, for derivatives traders, for hedge fund managers—where then was the concern about the deficit when those tax cuts were passed unfunded?

When the Bush administration inherited from the last Democratic President a balanced budget predicted to yield a zero national debt during the course of the Bush administration—a zero national debt during the course of the Bush administration—and instead the Republicans left us with $12 trillion in national debt, where then was the concern about the deficit?

As one of my colleagues has said, this has been described as a point of principle. The way a principle is defined is that you always stand by it. If it is a sometime thing, it may be a lot of things; it may be an opinion, it may be a maneuver, it may even be an honestly held opinion, but it is not a principle if you only follow it selectively. If the only time you follow it is when struggling, working people are in the crosshairs. But when it is Haliburton's no-bid contracts, when it is tax cuts for CEOs and big bankers and fancy derivatives traders, and when it is the pharmaceutical industry, then it is all fine? That is not a principle. It may be a lot of things but it is no principle.

I urge my colleagues to put politics aside, to do what is right, and to help the millions of Americans who are so badly in need of a little help through this economic downturn that was no fault of their own—hard-working people, trapped in this recession through no fault of their own. I implore my Republican colleagues to start working constructively with us to end this unemployment crisis, to put people back to work, and to help those who are in such dire circumstances now through no fault of their own. That is what we are sent here to do and that is what I will keep fighting for.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. The Senate is in a period of morning business.

Mr. LEAHY. Has all time been used in morning business?

The ACTING PRESIDENT pro tempore. No, it has not.

CONCLUSION OF MORNING BUSINESS

Mr. LEAHY. Madam President, I ask to yield back any time remaining in morning business on either side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF BARBARA MILANO KEENAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:15 will be equally divided and controlled between the Senator from Vermont, Mr. LEAHY, and the Senator from Alabama, Mr. SESSIONS.

The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, the nomination of Justice Barbara Keenan of Virginia to the Fourth Circuit should be noncontroversial; her nomination should have been confirmed long ago. She has the support of her home State Senators. She has the support of Virginians from both parties, and many others. She was approved unanimously by the Senate Judiciary Committee over 4 months ago.

I suspect that like the confirmations of Judge Viken, Judge Lange, Judge Berger, Judge Honeywell, Judge Reiss, Judge Kallon, Judge Nguyen, Judge Seeborg, Judge Gee, Judge Peterson, Judge Martin and Judge Greenaway, this nomination could well be approved unanimously. Instead, in what has become a sorry and unacceptable attitude on the part of Republicans, she has been filibustered. This nomination should have been approved unanimously. We will now have to vote to bring cloture on something that would normally have been done on a voice vote. I am willing to predict she will get an overwhelming vote when they finally allow us to vote on her.

Because of what has happened with these filibusters, the Senate is far behind where we should be in filling judicial vacancies, vacancies that skyrocketed to be more than 100 and more have been announced. We need to do better. The American people deserve better.

Here it is, March 2. On March 2 of President Bush's first term the Senate had confirmed 39 Federal circuit and district court nominations. We, the Democrats, were in the majority. We moved very hard to get those 39 through. That included the period of the 9/11 attacks and the anthrax attack upon the Senate. In spite of all the obstacles, by March 2, Senate Democrats had moved forward to help confirm 39 of President Bush's judicial nominees.

Although the Senate Judiciary Committee has favorably reported 29 of President Obama's Federal circuit and district court nominees to the Senate for final consideration, because of Republican obstruction, the Senate has confirmed only 15 Federal circuit and district court nominees. So, by March 2 of the second year of President Bush's first term, 39; by March 2 of the second year of President Obama's Presidency, 15. That is more than 60 percent fewer. This is despite the fact that President Obama began sending judicial nominations to the Senate 2 months earlier than President Bush, after President Obama's 13 months in office the Senate is has confirmed only 15 Federal circuit and district court judges.

The judiciary is supposed to be out of partisan politics. This is really unacceptable. In fact, I note that during 17 months of President Bush's first term when the Democrats were in charge, we confirmed 100 of his judges. During 31 months with the Republicans in charge, they confirmed approximately 100. We worked very hard to help President Bush though.

The return, instead, is that the Republicans have filibustered nominees, judicial nominees who, when they finally get a vote, get a unanimous vote. This has created a real crisis in the judiciary. Last year's total was the fewest judicial nominees confirmed in the first year of a Presidency in more than 50 years. Those 12 Federal circuit and district court confirmations were even below the 17 the Senate Republican majority allowed to be confirmed in the 1996 session. After that Presidential election year, Chief Justice Rehnquist began criticizing the pace of judicial confirmations and the partisan Republican tactics. I hope the Chief Justice would do what Chief Justice Rehnquist, another Republican did when Republicans were slowing up judicial nominations, and speak to the need to do this.

I have spoken repeatedly to Senate leaders on both sides of the aisle and I made the following proposal: Agree to immediate votes on those judicial

nominees who have been reported by the Senate Judiciary Committee without dissent and agree to time agreements to debate and vote on the others.

We are making a mockery of the Federal judiciary by bringing in such needless partisan politics. This is my 36th year and I have been here with both Republicans and Democrats in the majority, with both Republican and Democratic Presidents. I have never seen anything like this in 36 years. It involves the judiciary in partisan politics in a way that is unprecedented, but it also shames the Senate. The American people are right to ask why they are doing this. It makes no sense.

Among the frustrations is that Senate Republicans have delayed and obstructed nominees chosen after consultation with Republican home state Senators. Despite President Obama's efforts, Senate Republicans have treated his nominees much, much worse.

I noted when the Senate considered the nominations of Judge Christina Reiss of Vermont and Mr. Abdul Kallon of Alabama relatively promptly that they should serve as the model for Senate action. Sadly, they are the exception rather than the model. They show what the Senate could do, but does not. Time and again, noncontroversial nominees are delayed. When the Senate does finally consider them, they are confirmed overwhelmingly. Of the 15 Federal circuit and district court judges confirmed, 12 have been confirmed unanimously.

That is right. Republicans have only voted against 3 of President Obama's nominees to the Federal circuit and district courts. One of those, Judge Gerry Lynch of the Second Circuit, garnered only three negative votes and 94 votes in favor. Judge Andre Davis of Maryland was stalled for months and then confirmed with 72 votes in favor and only 16 against. Judge David Hamilton was filibustered in a failed effort to prevent an up-or-down vote.

The obstruction and delay is part of a partisan pattern. Even when they cannot say ''no,'' Republicans nonetheless demand that the Senate go slow. The practice is continuing. This is the 17th filibuster of President Obama's nominees. That does not count the many other nominees who were delayed or are being denied up-or-down votes by Senate Republicans refusing to agree to time agreements to consider even noncontroversial nominees.

Senate Republicans unsuccessfully filibustered the nomination of Judge David Hamilton of Indiana to the Seventh Circuit, despite support for his nomination from the senior Republican in the Senate, DICK LUGAR of Indiana. Republicans delayed for months Senate consideration of Judge Beverly Martin of Georgia to the Eleventh Circuit, despite her endorsement from both her Republican home State Senators. When Republicans finally agreed to her consideration on January 20, she was confirmed unanimously. Whether Jeffrey Viken or Roberto Lange of South Dakota, who were supported by Senator THUNE, or Charlene Edwards Honeywell of Florida, who was supported by Senators MARTINEZ and LEMIEUX, virtually all of President Obama's nominees have been prevented prompt Senate action by Republican objections.

But instead of making progress by promptly considering Justice Keenan's noncontroversial nomination, we are now facing yet another Republican filibuster. There is no explanation for these delays, nor could there be. Justice Keenan is currently a justice on the Supreme Court of Virginia; she has an impressive judicial background. She has been a judge for the last 29 years—half of her life—and has served on each of the four levels of the Virginia State courts. If confirmed, Justice Keenan would be the first woman from Virginia to serve on the Fourth Circuit. She was also the first female general district court judge in Virginia, the first female circuit court judge in that State, the first woman named to the Virginia Court of Appeals, and the second female justice on the Virginia Supreme Court.

The American Bar Association's Standing Committee on the Federal Judiciary has unanimously rated her ''well qualified''—its highest rating—to sit on the Fourth Circuit. The Virginia State Bar rated her ''highly qualified'' by unanimous vote, and bar associations throughout the State gave her their highest recommendation. Many of the lawyers who make up those associations have practiced before Justice Keenan, so their strong support of her nomination is telling.

Republican Senators should act as we acted when we worked together to reduce vacancies during the Bush administration. In fact, our work led to a reduction in vacancies in nearly every circuit. When President Bush left office, we had reduced vacancies in 9 of the 13 circuits from when President Clinton left office. One of the circuits where we succeeded in reducing vacancies was the Fourth Circuit, the circuit to which Justice Keenan has been nominated.

Like the nomination of Steven Agee of Virginia to the Fourth Circuit, confirmed in President Bush's last year in office by a Senate with a Democratic majority, Justice Keenan's nomination should be able to be confirmed without further obstruction and delay. The Senate proceeded quickly to consider the Agee nomination, even though it was a Presidential election year, because President Bush had cooperated with the home State Senators to withdraw the controversial nomination of Duncan Getchell and instead nominate Judge Agee. Mr. Getchell had been nominated over the objection of both Virginia Senators, a Republican and a Democratic, and his nomination was finally withdrawn after many wasted months. The Agee nomination also followed years of contentiousness, as President Bush insisted on nominations like those of Jim Haynes and Claude Allen. When a President from either party works with home State senators to identify noncontroversial, well-qualified nominees, the Senate should move quickly to consider them.

Regrettably, it has taken the Senate twice as long to consider Justice Keenan's nomination as it did Judge Agee's for a seat on the same Court. The Senate can and must do better for the American people and the rule of law.

There is an easy place to start. The Senate can virtually double its total by considering the 14 judicial nominees currently on the Senate Executive Calendar without additional delay. In December, I made several statements in this Chamber about the need for progress on the nominees reported by the Senate Judiciary Committee. I also spoke repeatedly to Senate leaders on both sides of the aisle and made the following proposal: Agree to immediate votes on those judicial nominees that are reported by the Senate Judiciary Committee without dissent, and agree to time agreements to debate and vote on the others.

At the time there were six judicial nominees on the Senate Executive Calendar that no Republican member of the Judiciary Committee had opposed. Republicans refused. We have considered just three of those nominations in the last 3 months. They were each confirmed unanimously, without a single Republican Senator voting or speaking against them. It should not have taken 3 months to confirm three nominees unanimously. It has become the Republican strategy of delay—delay even those nominees they support. They delayed confirmation of Judge Beverly Martin of Georgia to the Eleventh Circuit until this year. They delayed confirmation of Judge Joseph Greenaway of New Jersey to the Third Circuit until last month. Still, three of the nominees who were reported unanimously last year are still stalled on the Senate Executive Calendar awaiting Republican agreement to vote on them.

I renew my proposal. There are now eight judicial nominations on the Senate Executive Calendar that were reported from the Senate Judiciary Committee without a single dissenting vote, including Barbara Keenan. When Republicans allow the Senate to consider them, they will all be approved overwhelmingly, if not unanimously. I urge Republicans to agree to consider and confirm them today.

I further call upon Republicans to agree to time agreements on each of the other six judicial nominees ready for final Senate action. Only one Republican Senator in the Judiciary Committee voted against Judge Wynn of North Carolina; only three voted against Judge Vanaskie of Pennsylvania; only four voted against Ms. Stranch of Tennessee, who is supported by the senior Senator from Tennessee, a Republican and a member of the Senate Republican leadership. Senate Republicans should identify the time they

require to debate the nominations of Justice Butler of Wisconsin, Judge Chen of California and Judge Pearson of Ohio, who are all well-qualified nominees for district court vacancies, which are typically considered and confirmed without lengthy debate.

During the debate on Judge Martin's nomination earlier this year, several misstatements were made on the floor of the Senate. I corrected the record on January 25. More recently, during Senate consideration of Judge Greenaway's nomination, additional misstatements were made here. It may be that some Republicans were unaware of the efforts by me, the Senators from New Jersey, and the Democratic leadership to consider Judge Greenaway's nomination earlier. Republicans were repeatedly asked to agree to consider both the Martin and Greenaway nominations. The majority leader stated so on January 22, as did I on January 25. Those efforts began long before January 22. Perhaps those Republicans who say it only took 2 weeks to schedule the Greenaway vote did not know of those discussions. But it still does not answer the question of why it took 2 weeks for Republicans to agree hold a vote that was unanimous.

In addition, the record should be clear that the New Jersey Senators had indicated their support for the Greenaway nomination since it was first announced, and were in no way a source of delay. Neither Senator ''refused'' or ''failed'' to send in their consent to proceed. To the contrary, the hearing on the Greenaway nomination was in September, because I honored Republicans' request that committee not to proceed with additional hearings in the summer, while a Supreme Court nomination was being considered. The fact is that during those months, it was Senate Republicans who were unprepared to proceed to a hearing on the Greenaway nomination. There is no cause to blame the Senators from New Jersey for delays in considering that nomination. Republicans' suggestion that Democrats are delaying in their consent to advance these nominations is also more than ironic since they have never acknowledged, nor accepted, responsibility for pocket filibustering more than 60 of President Clinton's judicial nominees. In fact, when I became chairman of the Judiciary Committee, I made Senators' consent forms, or blue slips, public for the first time. I am still waiting for Republicans to agree to make public their blue slips from 1993 through 2000. Because of the change I made, the anonymous holds that obstructed so many of President Clinton's nominees did not continue under President Bush. Regrettably, unlike President Obama, his predecessor did not work with Senators of the other party on nominations. It is no secret that the reason the committee did not proceed on President Bush's nominee to the vacancy on the Third Circuit from New Jersey was because the New Jersey Senators did not consent.

So when Senator SESSIONS says that he respects me for consulting with home State Senators, and in the same statement criticizes me for consulting with home State Senators, it is a bit disturbing. When he asks me not to hold hearings and then criticizes me for supposedly delaying hearings, it is not fair. When the Republicans are not ready to proceed on a nomination and then attribute the delays to others, it is wrong. Maybe the lesson is that I should not accommodate Republican requests but press the schedule more quickly, because otherwise I risk being accused of going too slowly.

We have seen unprecedented obstruction by Senate Republicans on issue after issue—over 100 filibusters last year alone, which affected 70 percent of all Senate action. Instead of time agreements and the will of the majority, the Senate is faced with a requirement to find 60 Senators to overcome a filibuster on issue after issue. The Senate was not allowed to complete action on short extensions of unemployment insurance benefits, the Satellite Home Viewer Act, and other needed measures last week because of Republican objection. Unfortunately, we have seen the repeated abuse of filibusters, and delay and obstruction have become the norm for Senate Republicans.

Just as Senate Republicans reversed themselves when it came time to vote on the deficit reduction commission that they had sponsored; just as Senate Republicans who voted for the USA PATRIOT Act Sunset Extension Act, S. 169, which was reported by the Senate Judiciary Committee last October, have reversed themselves and abandoned it; so, too, have Senate Republicans reversed themselves on filibusters against nominations. Those who just a short time ago said that a majority vote is all that should be needed to confirm a nomination, and that filibusters of nominations are unconstitutional, have reversed themselves and now employ any delaying tactic they can. They have ratcheted up their partisanship to delay and obstruct the President's nominees—once the American people elected a Democratic President.

The Republican practice of making supermajorities the new standard to proceed to consider many noncontroversial and well-qualified nominations for important posts in the executive branch, and to fill vacancies on the Federal courts, is having a debilitating effect on our government's ability to serve the American people. Hardworking Americans who seek justice in our overburdened Federal courts are the ones who will pay the price for Republicans' obstruction and delay. They deserve better.

Even after years of Republican pocket filibusters that led to skyrocketing judicial vacancies, Democrats did not practice this kind of obstruction and delay in considering President Bush's nominations. We worked hard to reverse the Republican obstructionism. In the second half of 2001, the Democratic majority in the Senate proceeded to confirm 28 judges. During just the second year of President Bush's first term, the Democratic Senate majority confirmed 72 judicial nominations and helped reduce the vacancies left by Republican obstructionism of President Clinton's judicial nominees from over 110 to 59 by the end of 2002. Overall, as I have noted, in the 17 months that I chaired the Senate Judiciary Committee during President Bush's first term, the Senate confirmed 100 of his judicial nominees. By comparison, the total number of Federal circuit and district court judges confirmed during the 13 months President Obama has been in office is barely 15 percent of that total.

Senate Democrats continued to work to reduce vacancies even during President Bush's last year in office. With Senate Democrats again in the majority, we reduced judicial vacancies to as low as 34, even though it was a presidential election year. When President Bush left office, we had reduced vacancies in 9 of the 13 Federal circuits.

As matters stand today, judicial vacancies have spiked again, as they did due to Republican obstruction in the 1990s. These vacancies are again being left unfilled. We started 2010 with the highest number of vacancies on article III courts since 1994, when the vacancies created by the last comprehensive judgeship bill were still being filled. While it has been nearly 20 years since we enacted a Federal judgeship bill, judicial vacancies are nearing record levels, with 104 current vacancies and another 22 already announced. If we had proceeded on the judgeship bill recommended by the Judicial Conference to address the growing burden on our Federal judiciary, as we did in 1984 and 1990, in order to provide the resources the courts need, current vacancies would stand over 160 today and would be headed toward 180. That is the true measure of how far behind we have fallen.

Republican Senators insisted on stalling confirmation of the nomination of Judge Gerard Lynch, who was confirmed with more than 90 votes. They insisted on stalling the nomination of Judge Andre Davis, who was confirmed with more than 70 votes. They unsuccessfully filibustered the nomination of Judge David Hamilton last November, having delayed its consideration for months. They stalled Judge Beverly Martin's nomination for at least 2 months because they would not agree to consider it before January 20. They stalled for 3 additional weeks on Judge Greenaway's nomination before he was confirmed unanimously. We have wasted weeks and months having to seek time agreements in order to consider nominations that were reported by the Senate Judiciary Committee unanimously and who are then confirmed overwhelmingly by the Senate once they are finally allowed to be considered.

I, again, urge Senate Republicans to reconsider their strategy and allow prompt consideration of all 14 judicial nominees awaiting Senate consideration, not just Barbara Keenan of Virginia, but also the following nominees: Jane Stranch of Tennessee, nominated to the Sixth Circuit; Judge Thomas Vanaskie of Pennsylvania, nominated to the Third Circuit; Judge Denny Chin of New York, nominated to the Second Circuit; Judge William Conley, nominated to the Western District of Wisconsin; Justice Rogeriee Thompson of Rhode Island, nominated to the First Circuit; Judge James Wynn of North Carolina, nominated to the Fourth Circuit; Judge Albert Diaz of North Carolina, nominated to the Fourth Circuit; Judge Edward Chen, nominated to the Northern District of California; and Justice Louis Butler, nominated to the Western District of Wisconsin; Nancy Freudenthal, nominated to the District of Wyoming; Denzil Marshall, nominated to the Eastern District of Arkansas; Benita Pearson, nominated to the Northern District of Ohio and Timothy Black, nominated to the Southern District of Ohio.

(The remarks of Mr. LEAHY and Mr. SESSIONS are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER (Mr. CASEY). The Senator from Vermont.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WEBB. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

Mr. WEBB. Mr. President, I rise again to speak on behalf of Justice Barbara M. Keenan, the nominee to serve on the Fourth Circuit. I would like to point out this is the third time I have had the pleasure of outlining her qualifications and also would like to express my regret that the Senate is again being forced to waste valuable time that could be used toward solving greater problems in our country in order to go through these repeated delays on votes that are going to be, if not unanimous, certainly well above 90 of our body in favor of this type of nomination.

The American people are commenting about how the Congress is not addressing the true problems of the country. I think this is an example that perhaps all those who are interested in our political system can comprehend rather quickly, of obstructionism and of the unnecessary delay of the appointment of individuals who are vitally needed as we look at the state of our judicial system today.

Justice Keenan was voted out of committee in October of last year by a unanimous voice vote. Her nomination is noncontroversial. She has been a dedicated public servant, a fair and balanced jurist. Her nomination has broad bipartisan support not only in this body but also in the Commonwealth of Virginia. So I again believe it is critical we move forward as quickly as possible to confirm this nomination.

There are currently four vacancies on the Fourth Circuit—more than any other circuit in our country. This seat that Justice Keenan would fill has been vacant now for more than 2 years. She is an extraordinary choice to fill this vacancy.

She has been a State supreme court justice since 1991. She has been a trailblazer for women in the law throughout her career. At the age of 29, she was the first female general district court judge in Virginia, when she was selected for the Fairfax County bench in 1980. She became the first female circuit court judge when she was promoted to that court in 1982. In 1985, she was 1 of 10 judges named to the first Virginia Court of Appeals and was the only woman on that court when it was first created. She was selected for the State supreme court, the second female justice ever to serve there, in 1991. She was, in fact, the first judge to serve on all four levels of Virginia's courts.

As I pointed out in my previous floor remarks, I think it is very important for the understanding of this body to point out that when Governor McDonnell was recently sworn into office, he specifically requested that Justice Keenan deliver him that oath of office. In fact, Governor McDonnell has released a statement where he said:

> Virginia Supreme Court Justice Barbara Keenan is one of the foremost legal minds in our Commonwealth. . . .Her nomination by the President for the United States Court of Appeals for the Fourth Circuit is one that should be viewed favorably and acted upon expeditiously. Justice Keenan has dedicated her career to public service . . . I look forward to her service on the Fourth Circuit bench.

This is from Governor McDonnell, who is from the Republican Party, and I think it is a clear indication of the broad respect this individual has within the Commonwealth.

I am mindful of the Senate's constitutional role in confirming executive nominations. This is vitally important. We have a robust vetting process. Debate is important and appropriate. We have conducted, inside the Virginia delegation, that kind of vetting process which resulted in Justice Keenan's name being moved forward.

Again, in the name of pragmatic bipartisanship and in the spirit of good governance in the way we should be spending valuable time on the Senate floor, with so many issues affecting this country, we need to move past these artificial barriers. We need to stop putting delays in front of the types of issues we should be confronting. Let's get on with the business of governing.

Again, as I pointed out in my previous statement, of the 876 Federal judgeships, there are currently 100 vacancies. These vacancies delay the administration of justice, they delay the resolution of disputes, and they diminish our citizens' right to a speedy trial. They affect the respect for our whole governmental process.

In light of the fact that my prediction is Justice Keenan will get, if not 100 votes in this body—I doubt she will get 1 or 2 negative votes in this whole body—there is no need for us to go through hours and hours of debate and delay in order to get her where she needs to be; that is, on the Fourth Circuit. So I am asking my colleagues across the aisle if we might not move this nomination forward in a timely way.

With that, I yield the floor.

Mr. CARDIN. Mr. President, I rise today to urge the Senate to invoke cloture on the nomination of Barbara Milano Keenan of Virginia to be a United States circuit judge for the Fourth Circuit.

I had the privilege to chair Justice Keenan's confirmation hearing on October 7 of last year. The Judiciary Committee reported out her nomination by voice vote on October 29 of last year. And here we are today over 4 months later, just now debating the nomination.

I take a special interest in the fourth Circuit, as it includes my home State of Maryland. In May 2008 I chaired the confirmation hearing for Justice Steven Agee, who also served on the Virginia Supreme Court and was confirmed to be a U.S. circuit judge for the Fourth Circuit. In April 2009 I chaired the confirmation hearing for Judge Andre Davis of Maryland, who was overwhelmingly confirmed by the Senate by a 72 to 16 vote in November.

I mention these nominations by way of background for my colleagues, because the Fourth Circuit has one of the highest vacancy rates in the country today. Out of the 15 seats authorized by Congress, 4 are vacant, which means over one-quarter of the court's seats are now vacant. Our circuit courts of appeals are the final word for most of our civil and criminal litigants, as the Supreme Court only accepts a handful of cases. I had hoped that the Senate will move more quickly to nominate and confirm qualified candidates for these seats. I also look forward to increasing the diversity of the judges of the Fourth Circuit.

So I don't understand why the Senate has been moving so slowly on nominations, most of which are not controversial. Of the 15 Federal circuit and district court judges confirmed during President Obama's tenure, 12 have been confirmed unanimously. Republicans have only voted against three of President Obama's nominees to the Federal circuit and district courts. I expect that when Justice Keenan comes to a vote, she will be overwhelmingly confirmed, if not unanimously confirmed. So why is the Senate waiting more

than 4 months to act on her nomination after it has been reported by the Judiciary Committee by a voice vote?

We started 2010 with the highest number of vacancies on article III courts since 1994, when the vacancies created by the last comprehensive judgeship bill were still being filled. Judicial vacancies are nearing record levels, with 102 current vacancies and another 23 already announced.

Justice Keenan comes to the Senate with an impressive amount of experience. She has served on each of the four levels of the Virginia State courts: General District Court, Circuit Court, Court of Appeals, and Supreme Court. She was admitted to the State Bar of Virginia in 1974. She first took the bench at the age of 29, and fittingly has served for a judge for the last 29 years. Before serving as a judge, she worked as an attorney in private practice and as a local prosecutor.

Justice Keenan has presided over an impressive amount of cases. She presided over several thousand cases of to judgment as a judge of the General District Court of Fairfax County, VA, which includes misdemeanors and smaller civil cases. As a circuit court judge, she presided over 600 cases that proceeded to verdict or judgment, and handled a wide range of criminal and civil cases, including both jury trials and bench trials. Finally, Justice Kennan now serves on the Virginia Supreme Court, a position she has held since 1991. I understand that under Virginia law, Supreme Court Justices serve 12 year-terms, and then must seek reappointment by the State general assembly. Justice Keenan was unanimously reappointed by the general assembly.

If confirmed, Justice Keenan would be the first woman from Virginia to serve on the Fourth Circuit.

Justice Keenan earned her B.A. from Cornell University, her J.D. from the George Washington University Law School, and her L.L.M. from the University Of Virginia School Of Law.

She received a unanimous rating of ''well qualified'' by the American Bar Association's Standing Committee on the Federal Judiciary, which is their highest rating.

So I am pleased to join Senators WEBB and WARNER today on the floor in support of her nomination. I commend the Senators on the process they used to make recommendations to the White House for the Virginia vacancy.

I hope the Senate will invoke cloture on this nomination today, and then take final action to confirm this nomination without any further delay.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes, using part of the Republican time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I rise to speak in support of the nomination of Justice Barbara Keenan to serve on the U.S. Court of Appeals for the Fourth Circuit.

In the summer of 2009, my colleague and friend, Senator WEBB, and I had the honor of interviewing a number of potential candidates to serve on the U.S. Court of Appeals for the Fourth Circuit. We were enormously impressed by the quality of all the candidates being considered. But one candidate rose to the top of the list because of her extensive experience, her judicial temperament, and her commitment to the law. That candidate was Justice Barbara Keenan.

President Obama nominated Justice Keenan last September, and in late October the members of the Senate Judiciary Committee reported her nomination by unanimous consent.

Justice Keenan's nomination has been on the Senate Calendar for 4 months now. I believe it is time for this Chamber to consider the nomination and give Justice Keenan an up-or-down vote.

Justice Keenan has served with distinction at every level of State court in Virginia. She has served as a justice on the Virginia Supreme Court since 1991. She also served on the Fairfax County General District Court, the Circuit Court of Fairfax County, and the Court of Appeals of Virginia. Every one of Virginia's bars, including the State bar and the State Bar Judicial Nominations Committee, have all recognized Justice Keenan and recommended her with their highest approval rating—either ''highly qualified'' or ''highly recommended.''

I might also mention in passing that Justice Keenan was the first woman appointed to the bench in Virginia and was one of the original 10 appointees to the Virginia Court of Appeals during its creation in 1985. Lest any of my colleagues on either side of the aisle think this falls on the partisan divide that so often I think stymies this body, Justice Keenan not only has the support of Senator WEBB and myself, but she has the support of our new Republican Governor, Governor McDonnell. Justice Keenan actually administered the oath of office to Governor McDonnell just 6 weeks ago.

I am a new Member of this body, and perhaps I sometimes don't always understand the rules and process. However, it does seem strange to me that a justice who is as highly regarded and recommended as Justice Keenan—someone whom the President nominated months and months ago and someone who has received unanimous support in the Senate Judiciary Committee and someone who has the support not only of both Senators from Virginia but our Republican Governor—has had to wait so long to get a vote.

So I am hopeful the Senate will act on this nomination. I look forward to casting my vote in support of Justice Barbara Keenan's nomination, and I encourage my colleagues on both sides of the aisle to vote for cloture so we can move to that very important vote and fill one more of these vacancies on a very important court in the Fourth Circuit.

Mr. President, I thank you for the time. I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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. WHITEHOUSE. Mr. President, I ask unanimous consent that all remaining time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Barbara Milano Keenan, of Virginia, to be a United States Circuit Judge for the Fourth Circuit.

Harry Reid, Herb Kohl, Sheldon Whitehouse, Richard J. Durbin, Benjamin L. Cardin, Patty Murray, Mark Begich, Kirsten E. Gillibrand, Mark R. Warner, Russell D. Feingold, Al Franken, Roland W. Burris, Dianne Feinstein, Patrick J. Leahy, Barbara Boxer, Charles E. Schumer, Edward E. Kaufman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Barbara Milano Keenan, of Virginia, to be a United States Circuit Judge for the Fourth Circuit shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 29 Ex.]

YEAS—99

Akaka	Durbin	McConnell
Alexander	Ensign	Menendez
Barrasso	Enzi	Merkley
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murkowski
Begich	Franken	Murray
Bennet	Gillibrand	Nelson (NE)
Bennett	Graham	Nelson (FL)
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagan	Reid
Brown (MA)	Harkin	Risch
Brown (OH)	Hatch	Roberts
Brownback	Inhofe	Rockefeller
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Burris	Johanns	Sessions
Byrd	Johnson	Shaheen
Cantwell	Kaufman	Shelby
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Kyl	Tester
Coburn	Landrieu	Thune
Cochran	Lautenberg	Udall (CO)
Collins	Leahy	Udall (NM)
Conrad	LeMieux	Vitter
Corker	Levin	Voinovich
Cornyn	Lieberman	Warner
Crapo	Lincoln	Webb
DeMint	Lugar	Whitehouse
Dodd	McCain	Wicker
Dorgan	McCaskill	Wyden

NOT VOTING—1

Hutchison

The PRESIDING OFFICER. On this vote, the yeas are 99, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. CARDIN. Mr. President, I ask unanimous consent that the vote on the confirmation of the nominee occur at 2:15 p.m. and that postcloture time be considered expired at that time; that upon confirmation, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session; further, after this unanimous consent request is granted, the Senate then stand in recess until 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:42 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

EXECUTIVE SESSION

NOMINATION OF BARBARA MILANO KEENAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT—Continued

Mr. DODD. Mr. President, I ask for the yeas and nays on the pending nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Barbara Milano Keenan of Virginia to be United States Circuit Judge for the Fourth Circuit.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that each side be allowed 1 minute before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, as with so many other nominations before the Senate, Justice Keenan has waited an extraordinary amount of time to be confirmed. Her nomination was reported without dissent by the Judiciary Committee more than 4 months ago. The unprecedented pattern of delay and obstruction by Senate Republicans on issue after issue—over 100 filibusters last year—has affected 70 percent of all Senate action. We have to file cloture just to bring up a noncontroversial matter.

In addition to the Keenan nomination, 10 judicial nominations that received bipartisan support are being delayed. The Senate can almost double the total number of judicial nominations confirmed by stopping the filibusters—by not requiring that and vote up or down.

Americans elect us to vote yes or no, not to vote maybe, and when you have a filibuster, you vote maybe. We ought to have the guts to vote yes or vote no.

The nomination of Justice Barbara Keenan of Virginia to the Fourth Circuit is noncontroversial. She should have been confirmed long ago. She has the support of her home State Senators and that of Virginians from both parties, and many others. She was approved unanimously by the Senate Judiciary Committee over four months ago. As I predicted, and as the Senators from Virginia predicted, the Senate unanimously voted to end the filibuster of this nomination, 99–0. No member of the Senate has spoken in opposition to her nomination. There is no reason she should not be confirmed unanimously.

Despite the overwhelming support for Justice Keenan, the Senate's consideration of her nomination was filibustered by Senate Republicans. Just as one Senator has objected to passing unemployment insurance and COBRA benefits and Medicare payments for doctors and extending the Satellite Home Viewer Act, Republicans refused to agree to debate and vote on the nomination of Justice Keenan. In fact, they have refused to consider any judicial nominations for the last three weeks. Delay and obstruction, obstruction and delay. Even for nominations that will be confirmed unanimously.

The Senate is far behind where we should be in helping to fill judicial vacancies. Vacancies have skyrocketed to more than 100, and more have been announced. We need to do better. The American people deserve better.

Instead of time agreements and the will of the majority, the Senate is faced with requiring cloture petitions and 60 votes to overcome a filibuster on issue after issue. In addition to the Keenan nomination, 10 judicial nominations that received strong bipartisan support in the Judiciary Committee—including seven that were reported without dissent—should be considered without delay. Debate should be scheduled, and votes taken on each of 14 judicial nominees stalled who have already been considered and favorably reported by the Judiciary Committee. Only 15 Federal circuit and district court judges have been considered by the Senate during President Obama's 13 months in office. By this date during President Bush's first term, the Senate had confirmed 39 judicial nominees. The Senate can almost double the total number of judicial nominations it has confirmed by considering the other judicial nominees already before the Senate awaiting final action. We should do that now, without more delay, without additional obstruction.

In December, I made several statements in this chamber about the need for progress on the nominees reported by the Senate Judiciary Committee. I also spoke repeatedly to Senate leaders on both sides of the aisle and made the following proposal: Agree to immediate votes on those judicial nominees that are reported by the Senate Judiciary Committee without dissent, and agree to time agreements to debate and vote on the others. I, again, urge Senate Republicans to reconsider their strategy of obstruction and allow prompt consideration of all 14 judicial nominees currently awaiting final Senate consideration. There is no need for these to be dragged out week after week, month after month, with only a single nominee being considered every several weeks. End the blockage of this President's nominees and vote on them.

I congratulate Justice Keenan on her confirmation today. I look forward to the time when the 13 additional judicial nominees being stalled are released from the holds and objections that are preventing votes on their confirmations.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, after all we have done to work with the distinguished chairman of the Judiciary Committee, he still complains. I am amazed.

This nominee seems to be a solid nominee. The President has due deference on nominees, and I think she should be confirmed and I will support her. But President Bush's nominees, for example, to the circuit courts, waited an average of 350 days from nomination to confirmation. And that was just the average. President Obama's circuit nominees have been confirmed, on average, 100 days faster.

Indeed, some of President Bush's nominees to the circuit courts even received a hearing, despite being highly qualified and highly rated nominees.

The majority of President Bush's first nominees waited years for confirmation—the first group he put up.

But besides that, as I told the chairman, I hope to end the tit-for-tats on this issue. He is having a good record of moving nominees who are good, and the ones who are opposed on this side will be vigorously opposed. But this nominee is qualified, and I support the nominee and urge my colleagues to do so.

I yield the floor.

The PRESIDING OFFICER. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 30 Ex.]

YEAS—99

Akaka	Durbin	McConnell
Alexander	Ensign	Menendez
Barrasso	Enzi	Merkley
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murkowski
Begich	Franken	Murray
Bennet	Gillibrand	Nelson (NE)
Bennett	Graham	Nelson (FL)
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagan	Reid
Brown (MA)	Harkin	Risch
Brown (OH)	Hatch	Roberts
Brownback	Inhofe	Rockefeller
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Burris	Johanns	Sessions
Byrd	Johnson	Shaheen
Cantwell	Kaufman	Shelby
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Kyl	Tester
Coburn	Landrieu	Thune
Cochran	Lautenberg	Udall (CO)
Collins	Leahy	Udall (NM)
Conrad	LeMieux	Vitter
Corker	Levin	Voinovich
Cornyn	Lieberman	Warner
Crapo	Lincoln	Webb
DeMint	Lugar	Whitehouse
Dodd	McCain	Wicker
Dorgan	McCaskill	Wyden

NOT VOTING—1

Hutchison

The nomination was confirmed.

The PRESIDING OFFICER. The motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPIRING PROVISIONS AND JOB CREATION

Mr. BAUCUS. We now return to the urgent legislation to create jobs and extend vital safety net and tax provisions.

This urgent legislation would prevent millions of Americans from falling through the safety net. It would extend vital programs that expired Sunday. It would put cash into the hands of Americans who would spend it quickly, boosting economic demand.

It would extend critical programs and tax incentives that create jobs. Let me be specific. Just today, we received detailed estimates from the National Economic Council on what would happen if we fail to act. Unless we act, a half million workers who lose their jobs nationwide, including nearly 1,600 in Montana, would be ineligible for help paying for their health insurance under COBRA.

Unless we act, the average doctor in America would stand to lose more than $16,600 in payments for Medicare. The average doctor in Montana would lose about $13,000. Unless we act, nearly 40 million Medicare beneficiaries and nearly 9 million TRICARE beneficiaries nationwide would be affected. That includes nearly 144,000 Montanans with Medicare and nearly 33,000 Montanans with TRICARE.

Unless we act, 400,000 Americans would be ineligible for expanded unemployment insurance benefits. This is urgent legislation. We must extend this legislation, and soon.

We had a productive day on the bill yesterday. Senator SESSIONS offered his amendment to impose discretionary spending caps. This is essentially the same amendment the Senate rejected on January 28. A point of order lies against the amendment under section 306 of the Congressional Budget Act, which requires 60 votes to waive that point of order. At the appropriate time, I intend to raise that point of order against the Sessions amendment.

As well, Senator THUNE offered his amendment proposing business tax cuts offset by cutting back stimulus funding in the Recovery Act. This is essentially the same argument the Senator from Kentucky, Mr. BUNNING, has been raising on the narrower, short-term unemployment and COBRA extension bill. The Senator from South Dakota and the Senator from Kentucky both seek to cut back the Recovery Act.

I believe these efforts are mistaken. Let me tell you why. On issues relating to the budget and the economy, we turn to the nonpartisan Congressional Budget Office for the straight story. They are the neutral referees, and the CBO says the Recovery Act is working. That is why it would be a mistake to cut back on the Recovery Act.

Last month CBO issued its report on the effects of the Recovery Act in the fourth quarter. In that report, this is what the CBO said:

> CBO estimates that in the fourth quarter of calendar year 2009, the Recovery Act added between 1 million and 2.1 million to the number of workers employed in the United States, and it increased the number of full-time equivalent jobs by between 1.4 million and 3 million.

That is what CBO says. They say the Recovery Act created or saved between 1 and 3 million jobs. That is real job creation. That means the Recovery Act is working. That is why we need to defeat efforts such as that made by the Senator from Kentucky and the Senator from South Dakota to cut back on the Recovery Act. Cutting back on a proven job creator is the last thing we would want to do right now.

We are working to line up votes on the pending amendments and an amendment the Senator from Kentucky seeks to offer on the short-term unemployment and COBRA bill. I am hopeful we may be able to reach an agreement on these matters this afternoon. I thank all Senators for their cooperation.

The PRESIDING OFFICER (Mrs. GILLIBRAND.) The Senator from Illinois is recognized.

Mr. BURRIS. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOVING FORWARD TOGETHER

Mr. BURRIS. Madam President, as a freshman Member of this body, I have a great deal of respect for those who have been a part of this institution for many years.

On both sides of the aisle, veteran Senators lend their experience, and their invaluable knowledge of procedure, to the debates that take place in this Chamber every day.

And, as anyone who knows the history of the Senate can tell you, this has always been a friendly place, no matter which party is in control.

This has always been a place where political leaders could disagree without being disagreeable, no matter how vast their differences happen to be. This Senate has always been governed by mutual respect, mutual trust, and mutual friendship. Without these key ingredients, it is impossible for us to work together.

Such was the genius of our Founding Fathers, who framed this system of government.

They knew that partisan politics would rage outside these walls, so they created the Senate to be a refuge for those who are prepared to move forward together to solve national problems.

The history of this Chamber is filled with legendary stories of compromise, of relationships across party lines that drove Senators from different backgrounds to find common purpose.

Our dear friend Senator Kennedy, the last lion of this Senate, was one of the greatest at forging bipartisan consensus and fostering mutual respect with the other side.

These stories remind us of the value of civil discourse. They speak to the necessity of working with one another,

not against one another, to confront the challenges we face.

But, I am beginning to wonder if these stories are just stories.

Although I have served in this Chamber for only a short time, I recognize that the atmosphere in this body is not what it once was.

I hear the accounts of bipartisan cooperation in the past, but I see fewer and fewer examples of it today.

In fact, just last week, the country watched as two centuries of Senate procedure and privilege were abused for partisan gain.

My colleagues and I were trying to move forward with a bill that extended unemployment benefits, health insurance for the unemployed, lending assistance for small businesses, and other important programs.

No part of this bill was new or controversial. No part of it would significantly change the existing programs that were in place, which were due to expire at the end of the week. We all knew that, if this Senate failed to take action, all of these programs would grind to a halt almost immediately.

Ordinary Americans across the country would stop getting their unemployment checks and their COBRA health benefits. Small businesses would see credit dry up literally overnight. In the middle of the worst economic crisis in decades, this would be a disaster. It would be the last thing that America needed as we tried to help people get back on their feet. But that is exactly what happened when my friend from Kentucky decided to raise objection. In an instant, a single Republican Senator slammed the door on the American people, and left thousands of ordinary folks out in the cold.

He cut off assistance for those who need it most. He denied unemployment insurance to those who lost their jobs through no fault of their own.

Just when folks were beginning to feel a bit more optimistic, my good friend from Kentucky held up his hand and said, ''Not so fast.''

As a result, on Sunday night, 15,000 Illinoisans lost their unemployment benefits. Another 15,000 will lose their benefits next week, and the week after, until my Republican friend drops his objection and allows us to pass an extension. These are folks who have felt the worst effects of the economic crisis. They are ordinary people, ordinary American families, who cannot afford to miss a check.

But the Senator from Kentucky has objected to continuing these programs. He has prevented the government from putting these checks in the mail. He has frozen the credit that will allow small businesses to create jobs and put more people back to work. He has sent thousands of Federal workers home without pay. He has shut down important highway projects all across America.

I have been in public service for almost 30 years. In all that time, I have never seen anything like this outrageous abuse of senatorial privilege.

We can argue about policy. We can debate legislation. We can discuss procedure and disagree about political tactics. But I believe it is wrong to play politics with people's lives. And I urge my friend from Kentucky to stop.

If my colleagues and I are able to overcome these objections and pass this bill in the next few days, we may be able to restore these benefits retroactively. But the damage has already been done. These programs are not designed to help people who can get by without unemployment insurance for a few days here and there.

These programs are targeted at those who can barely survive paycheck to paycheck. They are for people who need help keeping food on the table, until they have the opportunity to get back on their feet. They are for people who do not have the luxury of waiting just a few more days to pay the bills, as my colleague seems to think.

The Senator from Kentucky has brought our economic recovery to a grinding halt. He is playing politics with hard-working Americans, and he is wasting the time of this distinguished body.

What has happened to the Senate of our forefathers?

What has happened to the atmosphere of friendship that drove past Senators to work together to solve big problems?

My colleagues and I have offered a solution that is acceptable to almost every Member of this Chamber. There are 99 Senators who either support this measure or would like to see an up-or-down vote. But my friend from Kentucky does not mind taking advantage of the rules of this Chamber to make a political point, even if it means adding to the misery of hundreds of thousands across this country, including his home State.

Perhaps we should not be surprised. After all, we have seen this kind of obstruction time and time again from our Republican colleagues, even on issues that are critical to the well-being of more than 30 million Americans.

So maybe it should come as no surprise that a Republican Senator would once again choose to manipulate Senate procedure for partisan gain. In many ways, I suppose that is all we can expect from a party that has refused to offer solutions of their own.

I believe the American people deserve much better than that. I believe regular folks expect us to help make their lives better, not worse. And I believe they are tired of obstructionism. They are tired of hearing that their representatives in Washington can not get things done.

I would urge all of my colleagues to reach for the generous spirit of our forefathers, which defined this Chamber as a friendly and inclusive place for so many decades.

I would urge my colleagues to debate the issues honestly and without resorting to distractions and obstructionism. No legislation will ever be perfect. But I believe it is irresponsible to hold up an important and fundamentally good bill for political reasons.

I ask my friend from Kentucky to drop his objection, as others in this Chamber have asked him many times over the last few days.

Let us move forward together. Let us be constructive. Let us recapture the friendly atmosphere that helped our predecessors rise above partisan politics and achieve great things.

This is not how the Senate was intended to function. So let's prove to the world that this is still the greatest deliberative body on the planet. Let's reject these tactics and move forward together. And let's, without delay, stop the obstruction on this important legislation.

Madam President, I would like to speak on another issue as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURRIS. Thank you, Madam President.

HONORING THE ILLINOIS ATHLETES OF THE 2010 WINTER OLYMPIC GAMES

Mr. BURRIS. Madam President, we live in a world divided. International tension, mistrust, and even war too often separate nation from nation. But every 2 years, thousands of athletes from countries all over the world come together to celebrate the human spirit.

They meet in competition, arriving on the world stage from all five inhabited continents. Each of these five continents is represented by a simple, colored circle—a ring intertwined with four others to form the familiar symbol worn by every Olympic athlete.

The Olympic Games are a powerful force for world unity. And this year, for the 21st Winter Olympics, the eyes of the world turned to Vancouver, Canada—just across the border we share with our good friends to the north.

As always, the competition was fierce in every sport. The greatest athletes in the world tested their skills on some of the most challenging courses in history. Records were set and broken.

The world witnessed many triumphs—such as the success of a young Canadian figure skater, only days after the sudden loss of her mother.

We also came together in the face of great tragedy, mourning the shocking death of a young athlete from the Republic of Georgia.

Such Olympic moments, both triumphant and tragic, are blind to region or nationality. They remind us of the qualities and the limitations we share in every field of human endeavor. And at every moment, from the opening ceremonies until the Olympic flame was extinguished, these Winter Games served as a testament to all that we have in common. In a divided world, they served as an affirmation of the human spirit, and the value of friendship through sport.

I am proud to note that the United States Olympic team ended these games with a total of 37 medals—more than any other country, and a new record for the most medals won at a single Winter Games.

I would especially like to recognize and congratulate the Olympic athletes who hail from my home State of Illinois. These young men and women had the great honor of representing this country on the world stage, and they did us proud. In fact, 8 of the 37 total U.S. medals were won by Illinoisans.

From Champaign to Chicago—from Wheaton, to Glenview, to Plainfield, to Glencoe, to Naperville—these 10 athletes took to the ski slopes, and the ice rinks, and the bobsled tracks, and they gave it their all. Some came home with Olympic gold. Some fell short of the finals. But they are all Olympians, and they all represented our country—and our State—with honor, integrity, and sportsmanship.

So I take great pride in thanking the following Illinoisans for their dedication and hard work at this year's Olympic games: Lana Gehring, Katherine Reutter, Brian Hansen, Nancy Swider-Peltz, Jr., Shani Davis, Jonathon Kuck, Lisa Chesson, Evan Lysacek, James Moriarty, and Ben Agosto.

I ask my colleagues to join me in congratulating these 10 Illinoisans, along with their teammates, and every coach, parent, and supporter who contributed to the success of Team USA. I thank them for all they accomplished in Vancouver, and wish them nothing but continued success in the future.

There are few international spectacles as singular and as inspiring as the Olympic games. A force for unity in a world divided, these competitions have the power to bring us together as one people, celebrating the human spirit with one voice.

Thanks to the world-class athletes who took part, from the United States and more than 80 countries in every corner of the globe, this year's Winter games in Vancouver were no exception.

I hope that as the world's athletes return to their respective countries, and as we turn our attention back to the challenges we face in our daily lives, this Olympic spirit of unity will persist until we meet again on the world stage, in London, for the 2012 Summer games.

Congratulations to the Illinoisans and all of those who participated from the great United States of America in these games.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNEMPLOYMENT BENEFITS

Mrs. SHAHEEN. Madam President, last week Senate leadership reached agreement on a short-term extension of Federal unemployment benefits and other critical programs that were set to expire. But when we tried to pass the bill, sadly, one single Senator objected. Because of that one Senator and his filibuster, Federal unemployment benefits and health care subsidies for people who have lost their jobs have now expired. This Senator also single-handedly halted highway projects across the country and put workers' futures in jeopardy. The obstruction of this bill has brought to a standstill small business lending programs that have been successful at boosting the number of SBA-guaranteed loans since the Recovery Act was passed. Because of the Senator's actions, physicians will see their immediate care reimbursements slashed by over 21 percent, threatening the health care of too many seniors in New Hampshire and across this country.

There may be some people who don't realize the damage caused by these lapses, so I am here, as so many people have been here on the floor over the last several days, to talk about what is happening to too many people because of this filibuster.

First, this is about the struggles faced by individual workers and their families. Right now, with a record number of unemployed workers competing for each job, it has become harder than ever for people who lose a job to get back to work. Of the 16 million Americans who are out of work today, nearly 6 million—more than 1 in 3—have run through the benefits provided by their States. These 6 million people are the ones served by Federal unemployment, which is a critical safety net that helps families buy gas and groceries and helps them heat their homes and pay their mortgages and their rents while they look for the next job. Because of the actions of just one Member of this body—actions that I believe are irresponsible—more than 1.2 million people will get their last check during the month of March.

My office has heard from hundreds of constituents in the last week who are on the verge of losing their benefits, and their stories are heartbreaking. I wish to tell my colleagues about just one.

A woman named Linda wrote me. She said:

> I've been unemployed for the first time in my life since August. I will be 60 on March 14, and I have not been able to find another full-time job. I own an older mobile home in Epping and don't have a retirement plan, a nest egg, or anything of that nature. The prospect of my unemployment benefits going away very soon (I may only have two to three weeks left) because of one Senator digging in his heels makes me feel sick. Please, please do everything you can to get an extension for unemployment benefits passed. God has a plan for us all; I just pray that I don't lose everything, as many others have, and that one Senator isn't playing the partisan card just because he can. I'm not sure that America is the land of opportunity that it used to be.

That is the end of her quote.

While some may think it is no big deal to make people such as Linda wait a week or 2 weeks to get another unemployment check, even short-term expirations have damaging results. When State workforce agencies are forced to shut down and restart complicated Federal benefits programs, they experience huge backlogs in their systems that delay getting checks out the door. Phone lines at call centers are jammed with claimants, holding up others from filing for benefits, and lines at one-stop centers get longer and longer. In the best of circumstances, individuals who see their benefits lapse while this filibuster continues will have to wait weeks before they begin receiving checks again. That is a long time when you are living on unemployment.

Then there is the uncertainty and the fear that comes when someone opens the mail to find a notice that this check is the last one they will receive. Families can't make responsible budget choices when we abruptly interrupt safety net programs.

So this filibuster isn't just holding up benefits to those who are already out of work; it is causing more Americans to lose their jobs. By cutting off highway funding, one Senator has put thousands more Americans at risk of losing their jobs. For the first time in 20 years, construction projects across the country have halted. Without an extension of highway programs, construction companies in New Hampshire can't plan ahead. Workers in New Hampshire don't know whether there will be a job for them when construction season starts back up in the spring. Due to the actions of just one Senator, the future of these workers is uncertain.

This filibuster is especially egregious because it abuses the Senate rules, but, unfortunately, abusing the rules in order to prevent us from addressing the needs of families and small businesses has sadly become too routine. That is why I believe we need to take a very hard look at changing the Senate rules. It is time to stop playing political games with the lives of the American people. I hope that at least on this bill, every Member of the Senate can come together to support the millions of people who are counting on our leadership.

Thank you very much. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The Senator from South Carolina.

Mr. DEMINT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT SPENDING

Mr. DEMINT. Madam President, I know the Senate has been dealing with a difficult issue, and I wish to make some comments relative to the Senator from Kentucky, Mr. BUNNING, who I think has taken a lot of unfair criticism for asking our Democratic colleagues to abide by their own rules.

Much has been made in the Senate and in the Congress and at the White House over the last year about the unsustainable level of spending and borrowing and debt we have as a nation. Yet it seems that almost every week we create some new government program or expand spending in some area. I think it is time we expose the hypocrisy that is going on because we know the level of debt we have is going to eventually, sooner or later, bring our country down. Yet we don't seem to have the willpower to stop any spending.

Last week, we created a new government program, a new travel promotion agency. Now we are going to extend unemployment and COBRA benefits, which are good things. Certainly, in a down economy, we need to consider those around the country who are suffering and make sure we do everything we can that is fair to take care of them, but when we borrow the money to do it, we threaten the futures of our children and grandchildren, diminish their quality of life, and likely cause their unemployment in the future. We can hardly pat ourselves on the back for our compassion and generosity when we are not making any sacrifices or even any hard decisions in the Senate to pay for those things we say are a priority.

Instead of paying for this extension of unemployment benefits and COBRA, the Democrats want to pass it without any debate, without any vote. They don't want to pay for it. We are not even considering ways we can pay for this extension. Instead, we classify it as emergency spending at the last minute and try to force Congress into spending money we don't have. We brought it up at the very last minute at the end of last week and said, if we don't pass it now by unanimous consent, people will go without their unemployment and their COBRA.

This is not emergency spending. It was entirely predictable that these funds would run out, when existing funds would run out. Instead of acting prudently to extend these benefits in ways we could pay for them, the way my Democratic colleagues have promised we would with this pay-go rule, they are declaring an emergency at the last minute to ram it through without any debate and without a vote.

Moreover, they want to do this anonymously, through the process we call unanimous consent. That means they don't want a rollcall vote. Why don't they want a rollcall vote? Because it shows who means what they say. It shows who believes in this idea of pay as we go that we call pay-go, and it will certainly damage prospects for November elections.

Senator BUNNING from Kentucky has taken a courageous stand to hold the Democrats—in fact, all of us—accountable to the things we say we believe. I believe, as does Senator BUNNING, that if we are going to renew these benefits, we should pay for them. We should look at areas of our government that we don't have to do and reduce them or eliminate them so we can pay for the things we feel we have to do. I think the names of the Senators who want to borrow the money to do this, who want to add to our debt to do this, should be recorded for the public to see.

This bill will cost $10 billion. We could find the money to pay for this bill. We could repeal a very small part of the stimulus plan. We could repeal the TARP or the bailout money. We could cut some earmarks—some local parochial projects—or we could cut other government programs that have been deemed unnecessary or wasteful.

The Congressional Budget Office says the government would save $12 billion if we allowed health insurance companies to compete in an interstate commerce fashion. We have talked about it a lot as part of the health care debate. If all we did—no taxpayer funds at all—is allowed interstate competition for health insurance, the government could save $12 billion and more than pay for this bill we are talking about today. We could help people get insured, lower the cost of health insurance, help small businesses create jobs, and pay for the bill that extends unemployment benefits. But we are not even willing to talk about a responsible way to pay for a bill. Senator BUNNING says: Wait a minute. We have been talking about paying for these bills as we go, and the first two bills we brought up since we passed pay-go have not been paid for. He said we should at least bring it to the floor and have some debate and a vote. I think that is pretty reasonable.

Senator BUNNING was right to address this problem, and I commend him for it. I hope our colleagues will stop the hypocrisy, stop trying to create a crisis of our debt while we make that crisis worse every day, adding to the debt almost every week.

Now we have Members of this body looking at new ways to raise taxes or create new taxes on Americans. This is not the way to help our country, and it is not the way to lead. It is certainly hypocrisy. I thank Senator BUNNING for his stand. I ask all my colleagues to join us in looking at what this Federal Government has to do and to do those things well, to fund them properly, but to take those things that don't have to be done at the Federal level and move them to the States or back to the people, as the tenth amendment says. We clearly cannot move forward as a Nation with the Federal Government doing more than it is doing today.

If we are going to survive and thrive as a Nation, the Federal Government will have to do less. That needs to begin here. It needs to start today. We can't keep expanding government, borrowing money every week, and complaining about the debt. Only in politics would that happen. We have to stop it here, this week. Again, I thank Senator BUNNING for his courage and clarity.

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. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. I just heard the Senator say, in defense of Senator BUNNING, that our side will not allow Senator BUNNING to have a vote. I want to clear up the record. That is not the case at all. As far as I am concerned, Senator BUNNING can have his vote. He can have his vote on his pay-for. The point is, does Senator BUNNING want an assurance that he has enough votes from the Democratic side so that his vote passes? Well, of course not. We vote here; that is what the Senate is for. Those in favor vote aye; those not in favor vote no. That is the democratic process. That is the process most Americans understand.

So if he wants his vote, he can ask for it and he can have that vote. I will not prejudge whether he will win or lose. As far as this Senator is concerned, he can have that vote. My expectation would be after that vote is concluded one way or another we can vote on the underlying 30-day amendment so we can finally get people their unemployment checks that are due, their COBRA benefits, and their health premium subsidies that are due. Finally, we can enable doctors to be paid so they can see Medicare patients.

This is a very simple solution. We can just vote. If Senator BUNNING wants to vote, I say: Fine, let's vote.

If he complains: Oh, no, I want to make sure I win, I don't think that is entirely proper. I think it is proper to have the votes, and Senators can vote their wishes and their views. We can have that vote. When that is concluded, we can go on to the 30-day resolution so that people can get the benefits they are due. That is the only responsible and reasonable way to deal with this. I hope we do that. We are waiting for the Senator from Kentucky to indicate whether he would like to vote. It is pretty simple.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Madam President, I came here in the hope that, as we begin work on this very important bill that is going to help reinvigorate our economy, we are making progress on getting Senator BUNNING to step down from his objection to a short-term extension of the number of programs that

are essential to the well-being of our Nation.

Senator BUNNING says he is objecting to an extension of unemployment benefits and health subsidies for the jobless and, by the way, highway and transit programs and other programs because he wants to offset that extension with cuts in funding from the Economic Recovery Act.

I want to make the point that at a time when jobless rates are soaring, certain of these actions that we take are emergency actions. They are actions we take because the long-term unemployed are in big trouble. If we pay for this by slashing economic recovery funds that are already obligated or are about to go out, and they are about to start hiring people, then it seems to me we are taking one step forward and two steps back. I am willing to vote on this matter, and I hope Senator BUNNING will lift his objection if we get to vote. It is not a problem. Let's vote on it.

I have written to Senator BUNNING on a couple of occasions on behalf of the 201,000 Californians who have already seen their unemployment insurance benefits expire if we don't renew this. This is a very dangerous precedent to set. I noted to him that not only is he hurting people who are doing everything in their power to get work, but he is also shutting down transportation projects in California and in 16 other States because he will not agree to reauthorize the highway trust fund for just 30 days. This is an impossible situation.

I ask unanimous consent to have printed in the RECORD a list of the States already impacted by Senator BUNNING's objection to a 30-day extension for the highway trust fund.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL LANDS CONSTRUCTION HALTED BY FURLOUGH OF DOT INSPECTORS DUE TO BUNNING OBJECTION

State	Project	Cost
Alaska	Tongass National Forest road clean up.	$1,100,000
Alaska	Coffman Cove Dock construction.	885,000
Arizona	Coronado National Monument Main Park entrance.	1,500,000
Arkansas	East Fly Gap and Gunner Pool Roads landslides restoration.	923,000
California	Sequoia National Park main entrance.	15,000,000
Californa	South Fork Smith River	13,800,000
California	Golden Gate National Recreation Area road construction.	8,700,000
District of Columbia	9th Street Bridge replacement	50,000,000
Georgia	Chicakamauga & Chattanooga National Military Park construction.	634,000
Idaho	Salmon River Road Nez Perce National Forest construction.	20,133,000
Idaho	Little Salmon River Bridge Nez Perce National Forest intersection.	3,800,000
Idaho	Ferran Lakes Idaho Panhandle National Forest.	14,600,000
Illinois	McRaven Road reconstruction	1,100,000
Maryland	Great Falls Park entrance road construction.	3,100,000
Maryland	Piscataway National Park erosion and slope damage repair.	89,000
Mississippi	Natchez Trace Parkway resurfacing.	8,100,000
Mississippi	Natchez Trace Parkway trail construction (Ridgeland County).	5,600,000

FEDERAL LANDS CONSTRUCTION HALTED BY FURLOUGH OF DOT INSPECTORS DUE TO BUNNING OBJECTION—Continued

State	Project	Cost
Mississippi	Vicksburg National Military Park road rehabilitation and resurfacing.	5,000,000
Mississippi	Natchez Trace Parkway trail construction (Madison County).	4,700,000
New Mexico	Carlsbad Caverns National Monument roadway rehabilitation.	9,000,000
North Carolina	Newfound Gap road rehabilitation.	9,900,000
North Carolina	Blue Ridge Parkway reconstruction and resurfacing.	6,000,000
North Carolina	Goshen Creek Bridge replacement.	3,000,000
Ohio	Fitzwater Road bridges replacement.	4,400,000
Oregon	Beaver Creek Road Ochoco National Forest.	6,200,000
South Carolina	Ft. Sumter Historic Site entrance road and parking area rehabilitation.	262,000
Tennessee	Cades Cove Loop Road rehabilitation.	6,700,000
Tennessee	Shiloh National Park tour roads and parking area rehabilitation.	3,000,000
Tennessee	Catossa Wildlife Management Area bridge replacement.	1,000,000
Utah	Bear River Access Road	13,800,000
Virginia/DC	George Washington Parkway Humpback Bridge replacement.	36,000,000
Virginia	Blue Ridge Parkway reconstruction and resurfacing.	12,000,000
Virginia	Petersburg Park tour road relocation.	1,500,000
Puerto Rico	Vieques National Wildlife Refuge road and bridge reconstruction.	6,000,000
Puerto Rico	El Yonque National Forest slide repair.	3,000,000
U.S. Virgin Islands	Christiansted Bypass construction.	14,000,000
U.S. Virgin Islands	Centerline Road reconstruction	9,000,000
U.S. Virgin Islands	St. John roundabout construction.	7,200,000
U.S. Virgin Islands	Long Bay Road reconstruction	5,500,000
U.S. Virgin Islands	University of Virgin Island sidewalk construction.	988,000
U.S. Virgin Islands	North Shore Road reconstruction.	448,000

Source: U.S. Department of Transportation, http://www.dot.gov/affairs/2010/dot3610.htm.

Mrs. BOXER. Madam President, in California, we are already seeing layoffs because the department of transportation had to lay off and furlough—they furloughed, temporarily I trust—2,000 Federal inspectors who are overseeing in 17 of our States a number of important projects; for example, in Alaska, the Tongass National Forest road cleanup. Another project in Arizona is the Coronado National Monument main park entrance. In Arkansas, there is a shutdown. In California, there is the Sequoia National Park main entrance, the Southfork Smith River, and Golden Gate National Recreation Area road construction. In DC, there is the 9th Street Bridge replacement.

One Senator is stopping these important construction projects. They are crucial safety projects that have been stopped in their tracks because one Senator has decided that it is his way or the highway.

We have to stop bringing this Senate to paralysis. We all have our opinions. I have mine and I know the Senator from Montana has his and the Senator from New York has his and the Senator from Michigan has hers; and we think we are right and we make our case. Once we have argued our cases, the will of the Senate has to go forward.

Senator BUNNING doesn't seem to think it is an emergency that the highway trust fund has run out of funds. He doesn't think it is an emergency that there are long-term jobless Americans. He doesn't agree. He doesn't agree that it is an emergency, I gather, that people cannot pay for their health care extension.

By the way, he also stopped—this is very important, and I know the Senator from Montana knows this well—the 21 percent to our doctors who take Medicare. I met with my doctors from California today. They cannot believe this is happening. In Ventura County our doctors are saying that because of this 21-percent cut they are facing in their reimbursements, they are only going to see emergencies. They are not going to see someone who has a nonemergency. This is gamesmanship.

I call on Senator BUNNING to remove his objection to the extension of the highway trust fund and the transportation programs and the unemployment benefits and the cuts in Medicare reimbursement to our doctors. Each week that Senator BUNNING maintains his hold, each week that he insists he will stop this, 6,000 California families will lose their unemployment benefits. Let's end this today. Each week that Senator BUNNING maintains his hold, many California small businesses will not be able to get access to needed loans from the SBA and the flood insurance program was held up. Californians and Americans from every State will lose their health insurance coverage.

I can only marvel at this turn of events—and not marvel in a good way. It takes obstruction to the next level. It is a bridge too far. I think there are Members on the Democratic side who are willing to stand on their feet for as long as it takes to try to get this done today. We hope Senator BUNNING will back down. If he continues and keeps this up, if the highway program is shut down for just 1 month, tens of thousands of jobs are at stake.

I want to say what those jobs would be. In Arizona, it would be 1,400 jobs; in California, it would be 6,000; in Florida, 3,000; in Illinois, 2,000; in Kentucky—the home State of Senator BUNNING, who is stopping the highway trust fund from being funded—it would be 1,198 jobs, if he keeps this behavior up for 1 month.

Senator BUNNING says he has every right to do this. Sure he does. He is a Senator and he can do it. But it is wrong. If each of us decided to throw a fit every time we didn't like something around here, who gets hurt? Not Senator BUNNING. He has a job and he has health care. He is not worried. He is not a physician who is getting held up either. He is fine and I am fine. It is the people of Kentucky, his State, and it is the people of California, my State, who get hurt.

If this keeps up for 1 month, there will be 6,000 job losses in Texas and 1,300 in Wisconsin. If this keeps up and we do not get our work done and we do not reauthorize the highway trust

fund, as we did in the HIRE Act, we will lose 1 million jobs in America. That gets to be inexplicable in terms of ''a world of hurt.''

I ask unanimous consent to have printed in the RECORD a chart prepared by AASHTO listing the impact of reductions in funding in all 50 States.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Illustrative Impact of Federal Highway Funding Reduction

25-Feb-10

*Jobs impact based on $1 billion of Federal spending supporting 34,700 jobs

State	2009 Apportionments Pre-Rescission	Rescission in 2009 Omnibus Appropriations	SAFETEA-LU Section 10212 Rescission	Total 2009 Rescissions	2009 Final Apportionments Post-Rescission	Pre- and Post-Rescission Percent Change	2010 Reduced Apportionment Amount (Annualized)	Estimated Jobs Impact*	Program Shutdown (Forgone Apportionment Per Month)	Estimated Jobs Impact*	Program Shutdown *Foregone Apportionments, March-September*	Estimated Jobs Impact*	Program Shutdown *Foregone Apportionments, March-December*	Estimated Jobs Impact*
Alabama	$720,167,779	$52,584,977	$176,090,994	$228,675,971	$491,491,808	-31.8%	$491,491,808	7,935	$40,957,651	1,421	$286,703,555	9,949	$409,576,507	14,212
Alaska	$334,714,920	$33,964,710	$80,939,451	$114,904,161	$219,810,759	-34.3%	$219,810,759	3,987	$18,317,563	636	$128,222,943	4,449	$183,175,633	6,356
Arizona	$734,702,687	$64,592,477	$170,845,487	$235,437,964	$499,264,723	-32.0%	$499,264,723	8,170	$41,605,394	1,444	$291,237,755	10,106	$416,053,936	14,437
Arkansas	$456,112,213	$39,535,907	$109,397,303	$148,933,210	$307,179,003	-32.7%	$307,179,003	5,168	$25,598,250	888	$179,187,752	6,218	$255,982,503	8,883
California	$3,310,972,003	$293,253,191	$795,619,594	$1,088,872,785	$2,222,099,218	-32.9%	$2,222,099,218	37,784	$185,174,935	6,426	$1,296,224,544	44,979	$1,851,749,348	64,256
Colorado	$488,420,872	$43,583,148	$114,985,999	$158,569,147	$329,851,725	-32.5%	$329,851,725	5,502	$27,487,644	954	$192,413,506	6,677	$274,876,438	9,538
Connecticut	$466,061,951	$44,603,309	$119,705,144	$164,308,453	$301,753,498	-35.3%	$301,753,498	5,702	$25,146,125	873	$176,022,874	6,108	$251,461,248	8,725
Delaware	$143,687,127	$12,296,263	$34,706,504	$47,002,767	$96,684,360	-32.7%	$96,684,360	1,631	$8,057,030	280	$56,399,210	1,957	$80,570,300	2,796
Dist. Of Col.	$136,069,626	$12,181,744	$34,680,251	$46,861,995	$89,207,631	-34.4%	$89,207,631	1,626	$7,433,969	258	$52,037,785	1,806	$74,339,693	2,580
Florida	$1,853,266,783	$161,117,494	$444,003,590	$605,121,084	$1,248,145,699	-32.7%	$1,248,145,699	20,998	$104,012,142	3,609	$728,084,991	25,265	$1,040,121,416	36,092
Georgia	$1,251,860,739	$109,107,524	$316,985,581	$426,093,105	$825,767,634	-34.0%	$825,767,634	14,785	$68,813,970	2,388	$481,697,787	16,715	$688,139,695	23,878
Hawaii	$146,371,519	$15,345,464	$38,647,517	$53,992,981	$92,378,538	-36.9%	$92,378,538	1,874	$7,698,212	267	$53,887,481	1,870	$76,982,115	2,671
Idaho	$267,386,444	$24,384,215	$65,490,357	$89,874,572	$177,511,872	-33.6%	$177,511,872	3,119	$14,792,656	513	$103,548,592	3,593	$147,926,560	5,133
Illinois	$1,219,875,275	$109,421,749	$290,642,478	$400,064,227	$819,811,048	-32.8%	$819,811,048	13,882	$68,317,587	2,371	$478,223,111	16,594	$683,175,873	23,706
Indiana	$933,607,823	$84,117,973	$218,595,722	$302,713,695	$630,894,128	-32.4%	$630,894,128	10,504	$52,574,511	1,824	$368,021,575	12,770	$525,745,107	18,243
Iowa	$415,284,967	$36,532,869	$97,803,350	$134,336,219	$280,948,748	-32.3%	$280,948,748	4,661	$23,412,396	812	$163,886,770	5,687	$234,123,957	8,124
Kansas	$352,297,846	$29,565,954	$92,067,610	$121,633,564	$230,664,282	-34.5%	$230,664,282	4,221	$19,222,024	667	$134,554,165	4,669	$192,220,235	6,670
Kentucky	$617,843,673	$52,476,786	$151,094,681	$203,571,467	$414,272,206	-32.9%	$414,272,206	7,064	$34,522,684	1,198	$241,658,787	8,386	$345,226,838	11,979
Louisiana	$622,363,573	$55,768,892	$135,293,239	$191,062,131	$431,301,442	-30.7%	$431,301,442	6,630	$35,941,787	1,247	$251,592,508	8,730	$359,417,868	12,472
Maine	$152,035,403	$12,576,262	$40,356,371	$52,932,633	$99,102,770	-34.8%	$99,102,770	1,837	$8,258,564	287	$57,809,949	2,006	$82,585,642	2,866
Maryland	$560,270,302	$50,679,943	$140,809,482	$191,489,425	$368,780,877	-34.2%	$368,780,877	6,645	$30,731,740	1,066	$215,122,178	7,465	$307,317,398	10,664
Massachusetts	$572,403,291	$54,647,719	$147,528,597	$202,176,316	$370,226,975	-35.3%	$370,226,975	7,016	$30,852,248	1,071	$215,965,735	7,494	$308,522,479	10,706
Michigan	$1,005,579,924	$85,406,835	$263,354,345	$348,761,180	$656,818,744	-34.7%	$656,818,744	12,102	$54,734,895	1,899	$383,144,267	13,295	$547,348,953	18,993
Minnesota	$581,459,128	$47,733,647	$133,119,494	$180,853,141	$400,605,987	-31.1%	$400,605,987	6,276	$33,383,832	1,158	$233,686,826	8,109	$333,838,323	11,584
Mississippi	$430,486,681	$36,108,932	$102,966,636	$139,075,568	$291,411,113	-32.3%	$291,411,113	4,826	$24,284,259	843	$169,989,816	5,899	$242,842,594	8,427
Missouri	$846,329,512	$74,160,262	$202,262,565	$276,422,827	$569,906,685	-32.7%	$569,906,685	9,592	$47,492,224	1,648	$332,445,566	11,536	$474,922,238	16,480
Montana	$345,429,222	$31,910,049	$83,984,190	$115,894,239	$229,534,983	-33.6%	$229,534,983	4,022	$19,127,915	664	$133,895,407	4,646	$191,279,153	6,637
Nebraska	$263,961,548	$22,978,046	$64,812,320	$87,790,366	$176,171,182	-33.3%	$176,171,182	3,046	$14,680,932	509	$102,766,523	3,566	$146,809,318	5,094
Nevada	$278,790,512	$25,261,881	$38,993,297	$64,255,178	$214,535,334	-23.0%	$214,535,334	2,230	$17,877,945	620	$125,145,612	4,343	$178,779,445	6,204
New Hampshire	$158,183,641	$14,211,378	$41,209,722	$55,421,100	$102,762,541	-35.0%	$102,762,541	1,923	$8,563,545	297	$59,944,816	2,080	$85,635,451	2,972
New Jersey	$934,996,954	$88,242,502	$233,394,133	$321,636,635	$613,360,319	-34.4%	$613,360,319	11,161	$51,113,360	1,774	$357,793,519	12,415	$511,133,599	17,736
New Mexico	$345,328,513	$30,509,789	$82,534,516	$113,044,305	$232,284,208	-32.7%	$232,284,208	3,923	$19,357,017	672	$135,499,121	4,702	$193,570,173	6,717
New York	$1,566,754,887	$145,830,156	$408,000,474	$553,830,630	$1,012,924,257	-35.3%	$1,012,924,257	19,218	$84,410,355	2,929	$590,872,483	20,503	$844,103,548	29,290
North Carolina	$1,013,850,615	$88,067,164	$249,848,312	$337,915,476	$675,935,139	-33.3%	$675,935,139	11,726	$56,327,928	1,955	$394,295,498	13,682	$563,279,283	19,546
North Dakota	$223,812,211	$19,443,205	$54,526,923	$73,970,128	$149,842,083	-33.1%	$149,842,083	2,567	$12,486,840	433	$87,407,882	3,033	$124,868,403	4,333
Ohio	$1,271,966,664	$111,197,305	$308,052,912	$419,250,217	$852,716,447	-33.0%	$852,716,447	14,548	$71,059,704	2,466	$497,417,927	17,260	$710,597,039	24,658
Oklahoma	$547,146,429	$47,627,650	$136,170,585	$183,798,235	$363,348,194	-33.6%	$363,348,194	6,378	$30,279,016	1,051	$211,953,113	7,355	$302,790,162	10,507
Oregon	$410,254,119	$36,305,573	$98,715,618	$135,021,191	$275,232,928	-32.9%	$275,232,928	4,685	$22,936,077	796	$160,552,541	5,571	$229,360,773	7,959
Pennsylvania	$1,561,501,663	$138,715,427	$405,749,854	$544,465,281	$1,017,036,382	-34.9%	$1,017,036,382	18,893	$84,753,032	2,941	$593,271,223	20,587	$847,530,318	29,409
Rhode Island	$178,249,629	$16,610,343	$44,547,755	$61,158,098	$117,091,531	-34.3%	$117,091,531	2,122	$9,757,628	339	$68,303,393	2,370	$97,576,276	3,386
South Carolina	$598,929,553	$50,911,437	$145,726,201	$196,637,638	$402,291,915	-32.8%	$402,291,915	6,823	$33,524,326	1,163	$234,670,284	8,143	$335,243,263	11,633
South Dakota	$241,550,301	$21,082,534	$57,912,770	$78,995,304	$162,554,997	-32.7%	$162,554,997	2,741	$13,546,250	470	$94,823,748	3,290	$135,462,498	4,701
Tennessee	$783,559,768	$65,679,045	$190,619,674	$256,298,719	$527,261,049	-32.7%	$527,261,049	8,894	$43,938,421	1,525	$307,568,945	10,673	$439,384,208	15,247
Texas	$3,137,306,196	$272,403,085	$742,240,415	$1,014,643,500	$2,122,662,696	-32.3%	$2,122,662,696	35,208	$176,888,558	6,138	$1,238,219,906	42,966	$1,768,885,580	61,380
Utah	$281,631,755	$25,531,368	$65,064,693	$90,596,061	$191,035,694	-32.2%	$191,035,694	3,144	$15,919,641	552	$111,437,488	3,867	$159,196,412	5,524
Vermont	$146,537,637	$12,128,206	$36,599,510	$48,727,716	$97,809,921	-33.3%	$97,809,921	1,691	$8,150,827	283	$57,055,787	1,980	$81,508,268	2,828
Virginia	$953,848,252	$80,340,594	$230,472,390	$310,812,984	$643,035,268	-32.6%	$643,035,268	10,785	$53,586,272	1,859	$375,103,906	13,016	$535,862,723	18,594
Washington	$599,085,428	$53,772,670	$148,061,997	$201,834,667	$397,250,761	-33.7%	$397,250,761	7,004	$33,104,230	1,149	$231,729,611	8,041	$331,042,301	11,487
West Virginia	$388,585,722	$31,926,094	$93,821,783	$125,747,877	$262,837,845	-32.4%	$262,837,845	4,363	$21,903,154	760	$153,322,076	5,320	$219,031,538	7,600
Wisconsin	$703,347,039	$61,015,614	$171,925,320	$232,940,934	$470,406,105	-33.1%	$470,406,105	8,083	$39,200,509	1,360	$274,403,561	9,522	$392,005,088	13,603
Wyoming	$245,264,943	$22,550,639	$57,022,296	$79,572,935	$165,692,008	-32.4%	$165,692,008	2,761	$13,807,667	479	$96,653,671	3,354	$138,076,673	4,791
TOTAL	**$35,799,505,262**	**$3,150,000,000**	**$8,708,000,000**	**$11,858,000,000**	**$23,941,505,262**	**-33.1%**	**$23,941,505,262**	**411,473**	**$1,995,125,439**	**69,231**	**$13,965,878,068**	**484,616**	**$19,951,254,383**	**692,309**

Source: AASHTO

Mrs. BOXER. Madam President, as I stand here today, it would be pretty easy to solve this problem. Senator BUNNING needs to stand down. He just needs to stand down. He made his point. He argues that we should pay for emergency funding. I voted for pay-go, but we do have a clause that says if it is a real emergency, we do not have to pay for it.

The reason that is important is if we do what Senator BUNNING wants and we extend this jobless help and we extend the highway trust fund and, on the other hand, we cut the economic recovery moneys which are all obligated and on which work is about to start, we are not doing anything for the country.

Let's do this right. Many of us who are standing here saw terrible deficit and debt problems during the Clinton years. You know what we did? We fixed it. We had room for emergencies. But we fixed it by going to pay-go. When there were emergencies, we stepped back.

I think it is fair to note that Senator BUNNING is very agitated about the fact that we would extend jobless benefits without cutting spending in job creation. Yet when it was time for him to vote for tax breaks for the wealthiest people who earn over $1 million, he could care less that it was put on Uncle Sam's credit card. When it was time to pay for the war in Iraq, oh, put it on the credit card of the country. But all of a sudden, it is help to our families who need it so desperately and we are going to have to cut other programs that are providing jobs. It does not make sense. It is not fair, and it is not consistent.

I renew my request that I have made twice now to Senator BUNNING. I ask unanimous consent to have printed in the RECORD my letters to him.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, February 26, 2010.

Hon. JIM BUNNING,
U.S. Senator, Hart Senate Office Building, Washington, DC.

DEAR SENATOR BUNNING: On behalf of the 201,000 Californians who will see their unemployment insurance benefits expire in the month of March unless we act to renew them, I ask that you stand down immediately.

As you know, if you do not relent, these benefits will expire on Sunday. Unemployment insurance is a lifeline to the long-term unemployed whose families have been hit very hard by this recession.

Thank you for your immediate attention.

Sincerely,

BARBARA BOXER.

U.S. SENATE, COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC, March 1, 2010.

Sen. JIM BUNNING,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BUNNING: I want to make sure you are aware that as a result of your objections to a short-term extension of unemployment insurance, COBRA, and other help for people who have lost their jobs, not only are 1 million people—including 201,000 Californians—losing their unemployment benefits but the Department of Transportation has now furloughed without pay nearly 2,000 workers.

This is completely unacceptable. It is hurting people in your state, in my state and all across the country.

As a consequence of the furloughs, federal inspectors will be removed from critical construction projects across the nation, and work is already shutting down. I am attaching the Department of Transportation's list of some of the affected projects. which includes critical construction work in 17 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands.

We can't have an economic recovery if people can't make ends meet and if transportation projects grind to a halt. I am writing to you as Chairman of the Environment and Public Works Committee to ask you to stop this gamesmanship and remove your objection to the extension of the transportation authorization and unemployment benefits.

Sincerely,

BARBARA BOXER.

Mrs. BOXER. Madam President, I wrote to him on February 26 ''On behalf of the 201,000 Californians who will see their unemployment insurance benefits expire'' and telling him that the benefits will expire on Sunday, which was 2 days ago; that unemployment insurance is a lifeline to the long-term unemployed whose families have been hit hard by this recession. I thanked him for his immediate attention, and I hope he did, in fact, read this letter. And I hope he read my letter of March 1.

I wrote to him as chairman of the Environment and Public Works Committee. I wanted to make sure he knew that he also objected to reauthorizing the highway trust fund expenditures, and that means the Department of Transportation is starting to lay off people. They laid off inspectors, furloughed them. They will go back to work when we fix this mess. But what a mess.

Do you know what it is to shut down construction jobs midway? By the way, these are private sector employers, private sector workers who are doing this work. It is unacceptable. I told him, ''It is hurting people in your State, in my State and all across the country.'' These Federal inspectors will be removed from critical projects across the Nation. Work is shutting down. I attached the Department of Transportation's list of the affected projects. I said:

We can't have an economic recovery if people can't make ends meet and if transportation projects grind to a halt.

We all know the housing sector is so weak. That construction is not going well. We need to construct the infrastructure of this Nation. These are not make-work projects. These are projects fixing bridges and highways and making sure our roads are safe. I asked him to stop his gamesmanship and remove his objection to the extension of the transportation authorization and the unemployment benefits.

As I said today, I add to that the extension of the funding for our physicians who are relying on us not to allow a 21-percent cut for Medicare to go into place. The fact that we do not have a lot of leadership down here says to me they are working on this now. It says to me they are reaching out to Senator BUNNING and my Republican colleagues to see if they will stand down.

I want to say I hope he does. These are real people. These are real people who are suffering. There is no need for them to suffer. We are not going to turn our backs on the long-term jobless. We are not going to turn our backs at all. This is just political maneuvering which is making life very difficult for people whose lives have been pretty much shattered if they are long term unemployed and looking for work and trying desperately to get it.

Hopefully, Senator BUNNING will back down, and my Republican friends will agree that we can move forward. If they want a vote on Senator BUNNING's plan to cut economic recovery funds that have already been obligated to put people to work to pay for an emergency, I am willing to take that vote any day of the week.

I hope to be back later and have some comments. I hope those comments are: Good, we got past this crisis. But at the moment, it is 4 o'clock in the afternoon, and we are not through it yet. I am hopeful that maybe later we will get through this and extend these vital programs to the people who need them.

I am going to close. I thank the people who have worked so hard with me on getting this highway reauthorization done. It is Republicans and Democrats. It is the Chamber of Commerce. It is AASHTO. It is the general contractors. It is the construction unions. This is an amazing team of people. It is the AAA. It is the car riders associations. It is everyone—Republicans, Democrats, Independents. They want an end to these games. I hope today we will see the end. If we do not, then we are going to have a long, long night ahead of us to make the point that it is wrong for one Senator to stop our people, our American people from getting the help they deserve, from getting the jobs they deserve to have in the highway fund and the help they need while they are looking for work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

EXTENSION OF BENEFITS

Ms. STABENOW. Mr. President, before my friend from California leaves

the floor, I first thank the Senator from California for her leadership in bringing together a bipartisan effort to create jobs and for coming to the floor to speak about one of the important elements that is being held up right now by Senator BUNNING and other Republicans who have come to the floor in support of his efforts.

I thank Senator BOXER for her leadership and her ability to bring people together to get things done and to speak to the fact that this is about jobs and we have a sense of urgency about what needs to happen going forward.

I wish to speak to that sense of urgency and speak first about what is happening for real people. Then I want to talk a little bit about the process as well, how could we be here, because people are looking and saying: How can one person or a group of people or the minority continue to hold up our ability to solve problems? That is a very good point that we need to talk about.

First, I want to share some comments from a distraught woman from Grand Rapids who called my office a little bit ago in tears because her unemployment benefits had expired. This has been her only source of income for over a year now. She has about 2 months left in savings before she loses her home. First she loses her job, and now she is about to lose her home. My guess is she has been struggling with health care as well.

She kept repeating: I was a productive member of society, but now I have nothing. She spoke about doing various temporary jobs since losing her full-time job as an administrative assistant back in 2007, having 18 years of work experience and she still has not qualified for a new job. Her search continues. She was pleading for the Senate to pass an unemployment extension before she loses her home.

In Michigan and all across this country, this is not a game. This is real. People are in a position today where they do not know if they are going to be able to keep their home, if they are going to be able to put food on the table at the end of the week, next week or be able to pay their rent or be able to keep the heat on. With the small amount of money that comes in from unemployment—an average about $300 a week—that right now is the difference between whether people are on the street, in the cold with their families, or whether they have a roof over their head. That is the reality of what is happening for people in this country—not people who are lazy, not people who do not want to work but people who have found themselves caught in this huge economic tsunami that has hit our country.

We have over 15 million people currently receiving unemployment benefits who want to work, who are looking for work, who, on average, find there are six people looking for work for every job available. Just watch what happens when you announce there are 50 jobs or 100 jobs or maybe even 2 jobs available in a community. People line up around the block because they want to work. People are going back to school to gain different kinds of skills to fit in the new economy. They are doing everything they can, piecing it together with part-time work, two jobs, three jobs, trying to hold it together.

We also have people who are one paycheck away from being in the very same situation, who are holding their breath, who are holding back on the spending they would normally do that would generate economic activity in the economy because they do not know what is going to happen.

This is critical to families; people today who have done nothing but play by the rules, such as the woman who called my office, want to know when is their government going to be there for them.

Somehow, as has been said before, the Senator from Kentucky did not manage to make it to the floor when 1 percent of the public, the wealthiest in America, were getting huge tax cuts. He didn't manage to make it to the floor when we were talking about Wall Street and bailouts. But somehow he can come to the floor and hold up the ability for people who are unemployed to get some temporary help and put the entire weight of the Federal deficit on the backs of people who are out of work, who lost their breadwinner in their home. That is stunning to me, absolutely stunning to me. Whose side are we on here? What is this about if it is not to make sure that when disaster hits, we are willing to step up on behalf of American families and support them and do something about it?

Our colleague has said we should not add to the deficit; while other things have certainly added to the deficit, we should make sure this is paid for.

We are the party that balanced the budget in the nineties. We do not need a lecture from people about solving deficits. We are the ones who created the balanced budget and surpluses that then went right out the window in the last 8 years under the previous administration. We do not need lectures on how to deal with deficits. But we also know when there is a disaster, whether it is a flood, a hurricane, or another kind of disaster, and the reality is that people in this country have been hit by a disaster. So it is appropriate to treat this as a disaster with disaster funding. I don't know what a disaster is if the more than 15 million people we know about right now, not counting the other 10 million or 15 million people who aren't being counted, is not a disaster.

I wish to talk for a moment about the process because we find ourselves in a situation where we have seen an abuse of the democratic process over and over here in the Senate by our minority party colleagues.

We have been brought to a point where now one person, although supported by others on the Republican side, has come to the floor and is objecting and putting us in a situation where we are going to have to either shut down the work of the Senate for a week to vote to override or to do something else. This has put us in a situation where people are being hurt because of partisan games.

The leader has come to the floor and said: If you have a concern, you should offer an amendment. We should debate that amendment. You can have an up-or-down vote on that amendment. That is the democratic process. And then we will vote.

Up until this point, the Senator has said no because he doesn't know if he will win that vote. Well, we don't know at any given time when we offer an amendment whether we will win. When you run for an election, you don't know if you will win. This is a democratic process.

So I challenge our colleagues to stop blocking democracy, to stop blocking the democratic process and just vote. Just vote. Majority vote. That is what the Founders created, a process for the majority to govern, with spirited debate—spirited debate—and up-or-down votes. Don't block democracy. That is exactly what is happening right now. It is time to vote. It is time to get things done. It is time to show the American people that we get what is going on in their lives. Let's just vote.

What has happened in the last couple of years? We have seen a process that in 1919 and 1920 was used two times in 2 years—two times in 2 years. Even in the first Senate, it was used zero times. We have seen a process that in the last number of years has gotten to a point where in the last Congress the process of blocking and obstructing—the filibuster—was used 139 times by our Republican colleagues, and that was the most ever. Look at that. It doubled any other time in the history of the country. Well, they are going to double it again. As of today, we have a situation where we have seen the party of no filibuster 118 times, and we are barely through 1 year of a 2-year cycle. So we are on the road to see it doubled and create a time of amazing historic obstruction we have never seen before. This is an example today of what happens when that process, which is a legitimate process, is abused—people get hurt.

So I would call on colleagues to stop blocking democracy and to simply come and debate and vote. Let's decide and move on so that we can get things done for the American people.

The underlying bill in front of us is a bill that will extend unemployment benefits for 1 year, and that is the right thing to do. It will extend help for health care, for COBRA, for 1 year, and that is the right thing to do. It will extend help for States to pay for health care. It will extend it beyond the next 6 months of when we put help in place under the Recovery Act. It will make sure our doctors can continue to get paid a fair reimbursement to serve our

seniors under Medicare. And it will allow us to keep jobs going and to extend important investment tax credits.

In reality, we have a lot of work to do here in the Senate. We need to dispose of this immediate situation of helping people. We need to make sure we put in place the short-term help on unemployment and health care and other provisions that have been talked about and then move quickly to the broader jobs bill because we know, in the end, everyone who is holding their breath right now about what we are going to do on unemployment is not saying to us: Gee, I hope you extend unemployment for years and years. Gee, I really want to live on $300 a week. They want us to focus on jobs, affording them the integrity of work, the ability to bring home a paycheck, to be a breadwinner so they can care for their family, and all of the dignity that comes with that work.

So we need to get on about the business of focusing on jobs, but the first thing we need to do is to make sure we understand what is happening to people across our country. They are panicked about the obstruction that is going on here in the Senate. There are 135,000 people in Michigan who will lose their unemployment help by the end of March if we do not take action. That is an economic disaster if I have ever heard of one.

It is time to act. It is time to stop blocking the democratic process. It is time to vote and to get things done and let people know that we are on their side, that we understand what is going on in their lives, and that we are going to be here and work hard and get things done for them.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I stand before the Senate today to call for the passage of the Temporary Extension Act of 2010. This legislation would extend a number of very important benefits that families across the Nation rely on to get them through difficult economic times.

This bill includes an extension of unemployment benefits for millions of out-of-work families, including hundreds of thousands in the Midwest, an extension of COBRA benefits for those who lost their health care along with their jobs, and a number of important tax credits for businesses and individuals which are vital as we seek to generate economic activity.

I cannot tell you how many times I heard about this when I went around our State and spoke with small businesses. However, there is one program—I know our colleagues have focused on how important it is to get this program done, how important it is that one person should not be allowed to hold up something that is so worthy and expected and necessary for the American people—but there is one thing that has not been discussed as much, and that is the National Flood Insurance Program that is also included in this bill.

Homeowners insurance covers damage from various sources, but it does not cover damage that results from flooding. Sadly, in too many cases unknowing Americans learn of this hole in their policy only after it is too late. In recognition of this major gap in coverage, Congress created the National Flood Insurance Program in 1968 to give home and business owners the chance to financially protect themselves, their property, and their families. For over 40 years, this program has helped communities recover after devastating natural disasters. I have been in some of these disasters: The flood in Rushford, MN. No one will forget Grand Forks. No one will forget how close we got last year with Fargo, and the Minnesota city of Moorhead; the floods in Iowa in the last 2 years. These are real disasters.

All regions of America are susceptible to flooding, whether it is torrential seasonal floods, rains, thunderstorms, or even the recent tsunami across the Pacific Ocean that struck after the tragic earthquake in Chile. We cannot escape the powerful forces of nature.

Flooding by its nature is unpredictable. Families and businesses need to know if the worst happens they will have the tools needed to help them get back on their feet. In my State, the Flood Insurance Program is vital to those who live in any area susceptible to flooding. However, at this time of year our attention is focused on families living across the Red River Basin in northwestern Minnesota.

Last spring, above-average rainfall compounded by an untimely melting of snow resulted in, as we all saw on TV, devastating floods along the Red River which hit the highest level ever recorded. I was there with the people. It was an extraordinary effort, as you watched grandmothers taking the frozen sandbags and putting them in place. You saw people who were up for 48 hours to protect their homes. As the waters receded, President Obama declared 15 counties as disaster areas, and communities throughout the region began the lengthy cleanup process and solemnly faced the devastation. This is not the first time the Red River has overflowed its banks, and it certainly will not be the last.

We are working at this moment on a long-term plan so this doesn't happen in the future, but for now we are again facing a threat in the Red River. This winter's heavy snowpack has led to a gloomy outlook for flooding this spring, which does not bode well for these communities. Volunteers in Moorhead, MN, have already begun filling sandbags in preparation for this year's floods. Although the Red River runs between Moorhead, MN, and Fargo, ND, when it comes to this calamity, the area is one community. In a testament to the people of northwest Minnesota and eastern North Dakota, the river does not divide us; it unites us.

As honorable, tireless, and commendable these efforts are, they cannot do it alone, and they need and deserve our help. Facing the heartbreaking loss of a home, the National Flood Insurance Program at least provides participants the peace of mind that their livelihoods will not be equally destroyed, and they will have the financial resources to start over.

Sadly, the actions of one Member of this body have not only put in jeopardy this program but endanger all the communities and residents along the Red River, those who have not yet purchased their flood insurance—and believe me, there are still some people because they are calling our office.

Cherie, a resident of Moorhead, MN, contacted my office trying to understand how this legislative paralysis caused by one Member of this body will impact her neighbors and her community. As of Monday, this program has come to a halt. Certain policy renewals may move forward, but those seeking a new policy to protect their homes may be left out in the cold.

Because of this body's inability—because of one person's decision—to extend the authorization of this vital program, residents in the Red River Valley do not know if they are going to be able to get flood insurance by the time the waters begin to rise in late March and early April. The intricacy of this program complicates matters more. New policyholders must wait 30 days before they take effect. There is no time to spare for Minnesotans seeking to protect their families from the upcoming floods. They may come at the end of the month. They may come at the beginning of April. We don't know.

There are other parts of this country where flooding comes later, and those people will be interested in purchasing policies. They don't know if their business is going to be able to survive another flood season or whether they will lose everything with no second chance to start over.

It is important to note that the National Flood Insurance Program saves taxpayer dollars. When communities implement flood plain management requirements and residents purchase flood insurance, the Federal Emergency Management Agency estimates that flood damage is reduced by $1 billion each year. In fact, FEMA estimates that the Federal Government saves between $3 and $4 for every $1 spent on flood mitigation in advance of a problem.

The Flood Insurance Program also provides building standards which,

when followed, leads to 80 percent less damage annually than those structures not built according to these standards.

But this is not the only program being threatened by this stalemate. Because of Senator BUNNING's objections yesterday, roughly 2,000 Department of Transportation staff were furloughed, largely at the Federal Highway Administration, which is responsible for highway, bridge, and road construction projects across our Nation.

I know a little bit about those projects because I live six blocks from that bridge that fell down in the middle of the Mississippi River in the middle of a beautiful summer day—an eight-lane highway down the middle of the Mississippi River. We know how important these highway projects are to rebuilding safely, and we can just have one Member of the Senate who decides to stop these types of projects in their tracks?

Highway projects are financed by State departments of transportation, and Federal funds reimburse the States for work on their projects. With furloughed staffs, these reimbursements will come to a halt which will force State departments of transportation across the Nation to halt work. The reimbursements amount to $190 million per day.

In addition, Senator BUNNING's actions will prevent the departments of transportation from making vital grant awards. I am a member of the Environment and Public Works Committee, which deals with roads and bridges, and I found the stopping of these programs particularly troubling. Ironically, on Wednesday, the committee will hold a hearing on the importance of transportation investment in the national economy.

If we are going to move forward to the next century's economy, we need to have the next century's transportation system. I respectfully request the Senator from Kentucky allow an up-or-down vote on his amendment; that he stop stalling; that he let us vote so the people of the Red River Valley who have not yet purchased flood insurance can buy that insurance; the people who want their bridges built and their highways built can go ahead and have those things done; the people waiting on their unemployment benefits can have that unemployment compensation. I request he stop stalling so the Senate can resume work and extend these programs for the stop-gap emergency basis on which so many programs and so many Americans depend.

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.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOW-INCOME HOUSING TAX CREDIT

Ms. LANDRIEU. I rise to speak for a few minutes while we are in a quorum call and trying to decide how we are going to proceed on this bill, to speak about a very important amendment that, hopefully, at some time as this debate moves forward, could be considered.

It is an extremely important amendment, not just to the people of Louisiana but to the people of Mississippi and Alabama as well, three States that were very hard hit by a natural disaster 4½ years ago, when Katrina, one of the largest hurricanes ever recorded, slammed into actually the gulf coast, hit the State of Mississippi directly and then parts of Louisiana.

Then, 3 weeks later, we were hit by another category 4 storm, Hurricane Rita. We are 4½ years into that disaster and catastrophe, and the gulf coast is still struggling to recover.

People are very familiar with the scenes they are seeing in Haiti, and now, unfortunately, we are getting very familiar with the scenes we are seeing in Chile. So it was not that long ago that we were seeing similar scenes along the gulf coast, not as desperate a situation as Haiti. We are not clear about how the situation in Chile is playing out.

But we can all remember the terrible videos and slides of destruction. Having represented that State now for all this time, let me tell you, our work is still going on. That is what brings me to the floor today. In the underlying bill, there are some big issues that have gotten a lot of coverage: unemployment, COBRA, et cetera. These are all very important. There are also some smaller pieces of this bill that are very important, the extension of some tax credits that help to restore tax credits in the region; a 1-year extension. There is a 1-year extension for low-income housing, a tax credit for the whole country.

But what is not in the bill, what is missing, is the piece I wish to talk about and ask my colleagues to consider adding to this bill when we get to a position where some amendments might be considered.

This amendment that I offer is not just offered by myself but offered by Senator COCHRAN and Senator WICKER and Senator VITTER. It was a bipartisan amendment and something the four of us feel very strongly about. In addition to the support it has from the four of us, it also, happily, has the support of the administration and the Secretary of HUD.

At this time, I would ask unanimous consent to have printed in the RECORD a very strong letter in support from Secretary Geithner and Secretary Donovan.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 2, 2010.

Hon. MARY L. LANDRIEU,
U.S. Senate,
Washington, DC.

DEAR SENATOR LANDRIEU: Thank you for your letter of February 25, 2010, regarding the extension of the Gulf Coast Opportunity Zone (GO Zone) Low Income Housing Tax Credit (LIHTC) placed-in-service date. Please be assured that the Administration understands the critical need for the extension of the GO Zone tax credits, and also the negative impact that failing to extend the credits would have on New Orleans and other communities impacted by Hurricanes Katrina and Rita as they continue recovery efforts. You should also be assured that the Administration supports an extension of 2 years to December 31, 2012, of the GO Zone placed-in-service date and is committed to working with Congress to see that the extension is enacted as soon as possible.

As you mentioned in your letter, the economic activity spurred by the GO Zone credits has played an important stimulative role in the rebuilding of the Gulf Coast. These tax credits have fostered development in devastated areas and have enabled the return of people who love their communities and who are the drivers of local economies throughout the Gulf Coast. GO Zone projects have created jobs and stimulated the economic recovery in these areas. In New Orleans, specifically, the tax credits have played a central role in leveraging the financing needed to complete the rebuilding of the Big Four public housing developments: St. Bernard, C.J. Peete, Lafitte, and B.W. Cooper. The revitalized developments have not only spurred activity surrounding construction and will restore essential affordable housing, but have also encouraged the establishment of new businesses and improved civic life around these developments.

Since the beginning of the Administration, President Obama, Vice President Biden, Dr. Jill Biden, 13 other members of the Cabinet, and numerous agency heads, assistant secretaries, and other senior level administration officials have visited New Orleans and the wider Katrina- and Rita-impacted area to see firsthand the scale of the recovery challenges that remain. Our respective agencies have made significant investments of staff and funding to support the recovery efforts. Many of these programs continue to provide meaningful resources to disaster survivors and the communities being rebuilt. Through these visits, we have come to recognize the dire impact that failing to extend this tax credit would have on Gulf Coast communities and individual families, many of whom were the hardest hit by Hurricanes Katrina and Rita and the recent recession. Not extending the GO Zone placed-in-service date would result in a major setback for the recovery, and would impact public housing residents, business, and communities. It would be unconscionable to let the work that has created so much progress, and so much hope, go unfulfilled.

We will continue to urge members of Congress to extend the GO Zone placed-in-service date and stand firmly behind such an extension. We are confident that with your help we will see the extension signed into law, and with it, continued economic activity and community revitalization in the Katrina affected Gulf Coast.

Sincerely,

TIMOTHY F. GEITHNER,
Secretary of the Treasury.

SHAUN DONOVAN,
Secretary of Housing and Urban Development.

Ms. LANDRIEU. They have written a very lengthy letter saying why the

amendment I am offering is so important. In addition, I am happy to say, today we got a very strong editorial in the New York Times, which does not always write favorably about some things we have requested. But they have looked at this and have indicated this is something that should be done.

Let me take a minute to explain what we are asking for. Right after Katrina and Rita, the Congress, in its wisdom, said: Your situation is so bad down there, you have had so many houses destroyed, so many low-income houses destroyed, we are going to give you some extra low-income housing tax credits.

We normally get a formula of about $2 per person in the country. Well, they gave us like $18 per person in the country, which was wonderful. We needed the help. We needed those extra low-income housing tax credits to build housing for the very poor but also to build housing for the working middle class, people whom we rely on to help our hotels get started, our restaurants get started, our schools to run, our teachers, our firefighters, our police officers.

So the city and the region—this happened in New Orleans and lots of other parishes. It also happened along the gulf coast of Mississippi. Catholic Charities stepped to the plate, developers stepped to the plate and said: OK, we will use these low-income tax credits to build some housing.

Think about Haiti right now. Think about the scene you saw on CNN this morning. I was just looking at the scene. There is no plan. The rainy season is coming. One million people have no shelter. All they have are those sad old little blue tarps we had along the gulf coast. But Congress, in its wisdom, instead of keeping them in tents in the Mississippi gulf coast said: OK, hire, private sector. Here are some tax credits. Go out and build houses for these people as fast as you can.

So the developers, of course, had to scramble. We all had to scramble because it was very chaotic. But we put plans together and we decided how—it would take us some time, but we figured out how to build good housing, smart housing, not the same old terrible housing we had but new housing.

That is wonderful. That is the good part of the story. The bad part of the story is, we have run out of time. But it is not our fault we ran out of time. We worked as hard as we could. But as soon as we were ready to go to the market with these tax credits, what happens? The market collapses. So then our developers could not even get the tax credits.

The problem for us, which is a big problem, is that now if we do not have all these units, what they call, in service, by the end of this year, we are going to lose over 7,000 housing units. That is a lot. Not 70, not 700 but 7,000 all through the city of New Orleans, all through the gulf coast.

People—seniors, policemen, firefighters, teachers, workers in the restaurants—will have no place to live. Everybody says: Oh, LANDRIEU, there you are crying wolf again. I am not crying wolf. This is going to happen. So that is why this amendment—I have been asking for it for a year. The team has been very supportive, but it is not in the bill.

So I am on the floor to shake the bells, rattle a little bit, to say: Please consider this amendment. We are not asking for any new credits. We are not asking for any special credits. We do not—well, we need some new credits, but we are not asking for new credits. We just need to have the credits we have that have already been put into place. We cannot lose them.

This amendment is going to cost about $300 million. It has a cost to it. I am asking the Finance Committee to please see how we can pay for this. It is an emergency, but I understand we want to try to pay for things as we go on, things such as this. So I am asking the Finance Committee to think about how this can be paid for.

But, again, I submit, in conclusion, the letter from the administration supporting it, the letter from Secretary Donovan, the editorial we got in the New York Times, the articles I am going to submit from our newspapers that clearly say this is important.

I thank the Members of this body for at least considering this amendment. I thank Senator COCHRAN, Senator WICKER, and Senator VITTER for joining in a bipartisan way to ask for it. I most certainly hope we can get this done because if not we are going to shut down these projects that are underway, we will lose 13,000 jobs, as well as lose the opportunity for over 7,000 families on the gulf coast to get good, affordable housing.

That is our argument, and I do not think there is any opposition. I hope not. Because it would be very important for us to get this amendment on this bill.

Mr. President, if there is no one here to speak, 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. KAUFMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. KAUFMAN. Madam President, I ask unanimous consent to speak in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Thank you, Madam President.

HIGH-FREQUENCY TRADING

Mr. KAUFMAN. Madam President, I have spoken on the Senate floor many times about the importance of transparency in our markets. Without transparency, there is little hope for effective regulation. And without effective regulation, the very credibility of our markets is threatened.

But I am concerned that recent changes in our markets have outpaced regulatory understanding and, accordingly, pose a threat to the stability and credibility of our equities markets. Chief among these is high-frequency trading.

Over the past few years, the daily volume of stocks trading in microseconds—the hallmark of high-frequency trading—has exploded from 30 percent to 70 percent of the U.S. market. In the past few years, this trading has exploded from 30 percent to 70 percent of the entire U.S. trading market.

Money and talent are surging into a high-frequency trading industry that is red hot, expanding daily into other financial markets not just in the United States but in global capital markets as well.

High-frequency trading strategies are pervasive on today's Wall Street, which is fixated on short-term trading profits. Thus far, our regulators have been unable to shed much light on these opaque and dark markets, in part because of their limited understanding of the various types of high-frequency trading strategies. Needless to say, I am very worried about that.

Last year, I felt a little lonely raising these concerns. But this year, I am starting to have plenty of company.

On January 13, the Securities and Exchange Commission issued a 74-page Concept Release to solicit comments on a wide range of market structure issues. The document raised a number of important questions about the current state of our equities markets, including:

> Does implementation of a specific [high-frequency trading] strategy benefit or harm market structure performance and the interests of long-term investors?

The SEC also called attention to trading strategies that are potentially manipulative, including momentum ignition strategies in which ''the proprietary firm may initiate a series of orders and trades (along with perhaps spreading false rumors in the marketplace) in an attempt to ignite a rapid price move either up or down.''

The SEC went on to ask:

> Does . . . the speed of trading and ability to generate a large amount of orders across multiple trading centers render this type of a strategy more of a problem today?

The SEC raised many critical questions in its concept release, and I appreciate that the SEC is going to undertake a baseline review.

As its comment period moves forward, I am pleased to report that other regulators and market participants, both at home and abroad, have taken notice of the global equity markets' recent changes, including the rise in high frequency trading.

In the United States, the Federal Reserve Bank of Chicago, in the March 2010 issue of its Chicago Fed Letter, argued that the rise of high-frequency

trading constitutes a systemic risk, asserting:

The high frequency trading environment has the potential to generate errors and losses at a speed and magnitude far greater than that in a floor or screen-based trading environment.

In other words, high-frequency trading firms are currently locked in a technological arms race that may result in some big disasters.

Citing a number of instances in which trading errors occurred, the Chicago Fed stated:

A major issue for regulators and policymakers is the extent to which high frequency trading, unfiltered sponsor access and co-location amplify risks, including systemic risk, by increasing the speed at which trading errors or fraudulent trades can occur.

Moreover, the letter cautions about the potential for future high-frequency trading errors arguing:

Although algorithmic trading errors have occurred, we likely have not yet seen the full breadth, magnitude, and speed with which they can be generated.

There is action internationally as well. On February 4, Great Britain's Financial Services Secretary, Paul Myners, announced that the British regulators were also conducting an ongoing examination of high-frequency trading practices, stating:

People are coming to me, both market users and intermediaries, saying that they have concerns about high frequency trading.

These developments come on the heels of another British effort targeting so-called ''spoofing'' or ''layering'' strategies in which traders feign interest in buying or selling stock in order to manipulate its price. In order to deter such trading practices, the Financial Services Authority, FSA, announced that it would fine or suspend participants who engage in market manipulation. Noting that some market participants may not be sure that spoofing or layering is wrong, the FSA spokesman said: ''This is to clarify that it is.''

In Australia, market participants are also requesting clearer definitions of market manipulation, particularly with regard to momentum strategies such as spoofing. In a review of algorithmic trading published on February 8, the Australian Securities Exchange called on its regulators to ''ensure that . . . market manipulation provisions . . . are adequately drafted to capture contemporary forms of trading and provide a more granular definition of market manipulation.''

It is critical our regulators understand the risks posed by high-frequency trading both in terms of manipulation and at a systemic level. As the Chicago Fed stated, the threat of an algorithmic trading error wreaking havoc on our equities markets is only magnified by so-called ''naked'' or unfiltered sponsored access arrangements, which allow traders to interact on markets directly—without being subject to standard pretrade filters or risk controls.

Robert Colby, the former Deputy Director of the FEC's Division of Trading and Markets, warned last September that naked access leaves the marketplace vulnerable to faulty algorithms. In a speech given at a forum on the future of high-frequency trading, which was cited by the Chicago Federal Reserve's recent letter, Mr. Colby stated that hundreds of thousands of trades representing billions of dollars could occur in the 2 minutes it could take for a broker-dealer to cancel an erroneous order executed through naked access.

According to a report released December 14 by the research firm Aite Group, naked access now accounts for a staggering 38 percent of the market's average daily volume compared to only 9 percent—compared to 9 percent—only 4 years ago. That means in just 4 years, what has been determined to be a risky enterprise has increased from 9 percent of the market's average daily volume to 38 percent. That is almost 40 percent of the market's volume being executed by high-frequency traders interacting directly on exchanges without being subject to any pretrade risk monitoring.

In January, the SEC acted to address this ominous trend by proposing mandatory pretrade risk checks for those participating in sponsored access arrangements. This move would essentially eliminate naked access, and I applaud the SEC for its proposal.

While I am pleased that the SEC has taken on naked access and has issued a concept release on market structure issues, there is much more work that still needs to be done in order to gain a better understanding of high-frequency trading strategies and the risks of front running and manipulation they may create. In the last few months, several industry studies aimed at defining the benefits and drawbacks of high-frequency trading have emerged. While these studies may not be the equivalent of a peer-reviewed academic study, they do have the credibility of real-world market experts, and they begin to shed light on the opaque and largely unregulated, high-frequency trading strategies that dominate today's market.

In addition to the Aite Group study, reports by the research group, Quantitative Services Group, QSG; the investment banking firm, Jefferies Company; the dark pool operator, Investment Technology Group, ITG; and the institutional brokerage firm, Themis Trading, all raise troubling concerns about the costs of high-frequency trading to investors and reinforce the need for enhanced regulatory oversight of these trading practices.

Last November, QSG analyzed the degree to which orders placed by institutional investors are vulnerable to high-frequency predatory traders who sniff out large orders and trade ahead of them. Specifically, the study concluded that splitting large orders into several smaller ones not only enhances the risk of unfavorable changes in price but also increases ''the chances of leaving a statistical footprint that can be exploited by the 'tape reading' HFT algorithms.''

While traders have long tried to trade ahead of large institutional orders, they now have the technology and models to make an exact science out of it.

In a study put forth on November 3, the Jefferies Company examined the advantages high-frequency traders gain by colocating their computer servers next to exchanges and subscribing directly to market data feeds.

Jefferies estimates that these advantages afford high-frequency traders a 100- to 200-millisecond advantage over those relying on standard data providers. As a result, Jefferies concludes, high-frequency traders enjoy ''almost risk-free arbitrage opportunities.''

A Themis Trading white paper released in December elaborated on Jefferies' conclusion, noting that the combination of speed and informational advantages allow high-frequency traders to ''know with near certainty what the market will be milliseconds ahead of everybody else.''

The studies and papers I have mentioned underscore the need for the Securities and Exchange Commission to implement stricter recording and disclosure requirements for high-frequency traders under a large trader authority, as Chairman Mary Schapiro promised in a letter to me on December 3. We need—and we need now—tagging of high-frequency trading orders and next-day disclosure to the regulators, and we need them now.

For investors to have confidence in the credibility of our markets—and that is absolutely key. America is great because of the credibility of our markets. If we don't have credible markets, we are in deep trouble. It is one of the things that makes America great and unique. For investors to have confidence in the credibility of our markets, regulators must vigorously pursue a robust framework that maintains strong, fair, and transparent markets.

I would make five points along these lines.

First, the regulators must get back in the business of providing guidance to market participants on acceptable trading practices and strategies. While the formal rulemaking process is a critical component of any robust regulatory framework, so, too, are timely guidelines that bring clarity and stability to the marketplace.

Colocation, flash orders, and naked access are just a few practices that seem to have entered the market and have become fairly widespread before being subject to regulatory scrutiny. For our markets to be credible—and it is essential that they remain credible—it is vital that regulators be proactive—rather be reactive, when future developments arise.

Second, the SEC must gain a better understanding of current trading strategies by using its ''large trader'' authority to gather data on high-frequency trading activity. Just as importantly, this data, once masked, should be made available to the public for others to analyze.

I am concerned that academics and other independent market analysts do not have access to the data they need to conduct empirical studies on the questions raised by the SEC in its concept release. Absent such data, the ongoing market structure review predictably will receive mainly self-serving comments from high-frequency traders themselves and from other market participants who compete for high-frequency volume and market share.

Evidence-based rulemaking should not be a one-way ratchet because all the ''evidence'' is provided by those whom the SEC is charged with regulating. We need the SEC to require tagging and disclosure of high-frequency trades so that objective and independent analysts—at FINRA, in academia, or elsewhere—are given the opportunity to study and discern what effects high-frequency trading strategies have on long-term investors. They can also help determine which strategies should be considered manipulative.

Third, regulators must better define manipulative activity and provide clear guidance for traders to follow just as Britain's regulators have done in the area of scrutiny. By providing rules of the road, regulators can create a system better able to prevent and prosecute manipulative activity.

Fourth, the SEC must continue to make reducing systemic and operational risk a top regulatory priority. The SEC's proposal on naked access is a good first step, but exchanges must also be directed to impose universal pretrade risk tests. If that is solely in the hands of individual broker-dealers, a race to the bottom might ensue. We simply must have a level playing field when it comes to risk management that protects our equities markets from fat fingers or faulty algorithms. Regulators must therefore ensure that firms have proprietary operational risk controls to minimize the incidence and magnitude of any such errors while also preventing a tidal wave of copycat strategies from potentially wreaking havoc on our equity markets.

Fifth, the SEC should act to address the burgeoning number of order cancellations on the equities markets. While cancellations are not inherently bad—they can in fact enhance liquidity by affording automated traders greater flexibility when posting quotes—their use in today's marketplace, however, is clearly accessible and virtually a prima facie case that battles between competing algorithms, which use cancelled orders as feints and indications of misdirection, and have become all too commonplace, overloading the system and regulators alike.

According to the high-frequency trading firm T3Live, on a recent trading day only a little more than 1 billion of the over 89 billion orders on NASDAQ's book were ever executed, meaning a whopping 99 percent of total bids and offers were not filled. Cancellations by high-frequency traders, according to T3Live, are responsible for the bulk of these unfilled orders.

The high-frequency traders that create such massive cancellation rates might cause market data costs for investments to rise, make the price discovery process less efficient, and complicate the regulator's understanding of continuously evolving trading strategies. What is more, some manipulative strategies, including layering, rely on the ability to rapidly cancel orders in order to profit from changes in price.

Perhaps excessive cancellation rates should carry a charge. If traders exceed a specified ratio of cancellations to orders, it is only fair that they pay a fee. The ratio could be set high enough so that it would not affect long-term investors or even day traders and should apply to all trading platforms, including dark pools and ATSs, as well as exchanges.

The high-frequency traders who rely on massive cancellations are using up more bandwidth and putting more stress on the data centers. Attempts to reign in cancellations or impose charges are not without precedent. In fact they have already been implemented in derivatives markets where overall volume is a small fraction of the volume in cash market for stocks. The Chicago Mercantile Exchange's volume ratio test and the London International Financial Futures and Options Exchange's bandwidth usage policy both represent attempts to reign in excessive cancellations and might provide a helpful model for regulators wishing to do the same.

Finally, the high frequency trading industry must come to the table and play a constructive role in resolving current issues in the marketplace, including preventing manipulation and managing risk. In order to maintain fair and transparent markets and avoid unintended consequences, market participants from across the industry must contribute to the regulatory process. I am pleased that a number of responsible firms are stepping forward in a constructive way, both in educating the SEC and me and my staff. I look forward to continue to working with these industry players.

We all must work together, in the interests of liquidity, efficiency, transparency and fairness to ensure our markets are the strongest and best-regulated in the world. But we cannot have one with the other—for markets to be strong, they must be well-regulated. So with this reality in mind, I look forward to working with my colleagues, regulatory agencies, and people from across the financial industry to ensure our markets are free, credible and the envy of the world.

Madam President, I ask unanimous consent that links to some of the studies I have mentioned be printed in the RECORD.

There being no objection, the following material was ordered to be printed in the RECORD, as follows:

www.qsg.com

''Liquidity Charge® & Price Reversals: Is High Frequency Trading Adding Insult to Injury?'' February 11, 2010

''Beware of the VWAP Trap,'' November 11, 2009

http://www.themistrading.com/article_files/0000/0519/THEMIS_TRADING _White_Paper_Latency_ Arbitrage_December_4_2009.pdf

http://www.itg.com/news__events/ papers/AdverseSelectionDarkPools__113009F.pdf

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.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNEMPLOYMENT RELIEF

Ms. MIKULSKI. Madam President, I come to the floor of the Senate to say to my colleague from Kentucky: Let the unemployment bill go. Let's free the unemployment compensation bill, the bill that will fund COBRA health insurance benefits and put people back to work building highways, and let's pay doctors the fees they deserve for saving lives and improving lives. Of all of the bills in the United States of America, why are we holding up this one? I think it is outrageous, and I think it is egregious.

My Lord, look at this. Right now in the United States of America, 400,000 American citizens are not receiving their unemployment benefits. They have been laid off. They have been pushed around. They have been pushed out. And now the Senate will not act to extend their benefits.

Then there are the health insurance benefits called COBRA, and 500,000 Americans are not getting that. Who gets COBRA benefits? No, it is not a snake—although there are a lot of snakes around. It means that if you were laid off from a company, you have the opportunity to, with your own money out of your own pocket, be able to buy insurance and get a modest subsidy to help you through this. My gosh, why can't we do this?

Then there are the thousands of doctors who are not being paid. There are the highway people who are not being paid.

I gave you national statistics, but I am a Senator from Maryland. I want you to know that tonight there are 4,700 unemployed workers in my State who are not going to get their unemployment benefits—4,700 unemployed workers. That is money they could use to provide their families with a safety net for food, housing, heat, and for the expenses and activities of daily living.

This isn't just a number. It is not a statistic. We are talking about 4,700 families who won't have a source of income to get them through this very difficult time.

Then there is COBRA. Again, COBRA pays 65 percent of the cost of health insurance for people who have lost their jobs. In Maryland, there are 9,282 people—close to 10,000—who have lost their benefits. COBRA makes sure they have health care. We are talking about someone, for example, who worked for a company all of his life, and then he was laid off because it was part of the great layoff that is going on in my State. He went to buy health insurance, and he is buying it through COBRA. It costs almost four times what it cost where he worked. At the same time, he has health problems. He is a diabetic. He is a father. He wants to work and, most of all, he wants to have health insurance for himself and his family. But, oh, no, we are holding it up because of something called pay-go.

Then what else are we doing? We are not paying our doctors. Regardless of how one feels about health insurance reform, you can't have health reform without doctors.

The opposition to health care reform, like Mr. BOEHNER, says we have the best health care system in the world. If we have the best health care system, why aren't we paying our doctors what they deserve? These are highly skilled people who work sometimes day and night to be able to save lives or improve lives. They assume the risks of medical management of highly complex cases. Why are we cutting their pay by 21 percent? I don't see those guys over there cutting their pay 21 percent until we figure out how to pay for our salaries. Why are we cutting doctors 21 percent?

I am so frustrated about this. Whether it is job reform, health care reform, mortgage reform, in this body, when all is said and done, more gets said than gets done.

The American people are as mad as they can be, and they don't want to take it anymore. I feel the same way. I am sick and tired of all these obstruction tactics that prevent people from getting the benefits they need to take care of their families or fund the programs that create jobs.

If we are going to have job reform and health reform, I think we need Senate reform. I am old-fashioned. I believe the majority rules. I think 51 ought to be a magic number. I am so tired of the tyranny of the 60. Oh, we need 60 votes—60 votes, a supermajority every time, except for the Pledge of Allegiance. I come back to wanting the majority rule. This is why I stand four square for filibuster reform.

I am heart and soul a reformer, sometimes a little too mouthy. Some people say I am a little too feisty. But I want to get the job done. I am ready to duke it out in the arena of ideas, present our best arguments, present our best cases, take a vote, and see how it turns out.

I hope when I offer amendments I win, but if I lose because I get less than 51, I feel I have gotten a square deal. But if I have to go after 60, I feel I am inhibited by the tyranny of 60.

I believe the filibuster is a dated, arcane tactic that belongs to another century and another Senate. I wish to see the filibuster rule either ended or modified.

There are those on our side of the aisle who say: Don't do that. What happens if we lose control, we might need it. Maybe if majority ruled, we would not lose control. Most of all, maybe the American people would see us actually debating, discussing, amending, and voting on ideas. Right now, the other side hides behind procedure. It hides behind process, it muddies the water, and the people are starting to catch on.

I am calling on our institution to seriously consider Tom Harkin's legislation. I think Senator HARKIN is on to something. Senator HARKIN and I are great respecters of the Senate and its traditions. We understand the filibuster and when it was used for great and grand debates on, for example, the expansion of civil rights in our country.

Under the Harkin proposal, you would get four shots at it. I think my colleague from Kentucky would like it. He is a baseball icon. You get three strikes and you are out. Maybe we would get four bites at the apple. The first time you vote if you don't get 60, it would fail. The second time you would need 59 votes or it would fail. The third time you would need 57 votes or it would fail. The fourth time, 53 votes and then we would come back to 51.

We are not for throwing away the filibuster, but we are for modifying it. Hopefully, it will bring us to a Senate that wants more function as the greatest deliberative body in the world. Now we are the greatest delayed body in the world. We don't deliberate; we delay. We don't do constructive things; we do obstructive things. This is not the Senate the American people want. They want us to debate ideas. They want us to do due diligence on those ideas, to make sure they are sensible, that they are affordable, that we are doing something that accomplishes the great missions of our country. I want, again, majority to rule.

I call upon the Senator from Kentucky and the other party: Let this bill go. Bring it out. Please, let us have a vote on it so tonight, when the families in Maryland go to bed, they can be sure that tomorrow when they awaken, their safety net of unemployment compensation is there; that they can buy their health insurance through COBRA, that gifted and talented doctors will know they will be paid and reimbursed and acknowledged for the great services they are performing. That is what the United States should be doing. There is plenty of money for other things.

When they talk about how they want this to be pay as you go—I voted for pay-go. I did. But we are in an emergency situation, and I believe this calls us to act now, and I hope we act tonight.

I hope we can all work together, and when more is said, the less gets said and more gets done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Madam President, I ask unanimous consent to speak in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO AMBASSADOR ANNE PATTERSON

Mr. KAUFMAN. Madam President, I rise again to pay tribute to one of our Nation's great Federal employees.

From the day of its creation as the first executive department in 1789, the State Department has carried out the important work of American diplomacy, pursuing peaceful relations between the United States and other nations around the world. When our role as a world power grew in the late 19th century, our diplomats became peacemakers among nations. Since the end of World War II, we heavily invested our time, treasure, and human capital in the preservation of global peace during a time wrought with potential for war and mass destruction.

Today, in the aftermath of the Cold War and the September 11 attacks, our State Department personnel, and our Foreign Service officers in particular, work tirelessly to promote the American values of liberty and international cooperation.

Stationed in every region, they daily endure risks to their health and safety. They leave behind family and a familiar culture. These talented and dedicated men and women are the living embodiment of President Kennedy's declaration that, while we must never negotiate out of fear, we must never fear to negotiate.

Those in the Foreign Service must pass a rigorous examination and be prepared to serve in any of our 250 posts around the world. They have jobs as consular officers assisting Americans abroad, political or economic officers analyzing trends in foreign countries and promoting U.S. interests, management officers running our embassies or public diplomacy officers who share the story of America with foreign audiences.

The most senior and successful diplomats may become ambassadors, the public face of our Nation and the President's personal representatives abroad.

One distinguished Ambassador whose career exemplifies the work of our Foreign Service is Anne Patterson.

A native of Arkansas, Anne studied at Wellesley College and the University of North Carolina. She first joined the Foreign Service in 1973 as an economic

officer. Her initial postings overseas included Saudi Arabia and the United Nations offices in Geneva, Switzerland. From 1991 to 1993, Anne served as the State Department's Director for Andean Countries and later was appointed Deputy Assistant Secretary for Inter-American Affairs.

In 1997, Anne was nominated and confirmed as Ambassador to El Salvador, where she served for 3 years. She became our Ambassador to Colombia in 2000. While escorting the late Senator Paul Wellstone on a visit that year to a rural town, an explosive device was found nearby by local security forces. That incident underscores the reality of the many dangers our Foreign Service officers face while serving overseas.

Anne returned to Washington in 2003, where she served as deputy inspector general for the State Department. The following year, she was appointed Deputy Permanent Representative to the United Nations in New York. After U.N. ambassador John Danforth resigned in January 2005, Anne became acting ambassador, representing the United States at the United Nations. She continued to serve in that role for 6 months.

From 2005 to 2007, Anne led the State Department's Bureau of International Narcotics and Law Enforcement Affairs. In May 2007, after Ambassador Ryan Crocker left Islamabad to take up his post in Iraq, President Bush nominated Anne to serve as our Ambassador in Pakistan. She continues her work in Islamabad to this day, representing our Nation at a time of great importance with the United States-Pakistani relationship.

During the times I have had the honor of visiting her and our Embassy officials in Pakistan, I have been impressed by her dedication to furthering Americans' priorities in that country, to protecting our national security interests, and to managing our talented team on the ground.

The life of a Foreign Service officer is not easy. Anne and her husband and her two sons and stepdaughter can attest that Foreign Service families face many challenges during a career of living overseas and moving frequently. In addition, Foreign Service families must make significant sacrifices to serve in dangerous locales, such as Pakistan, Afghanistan, and Iraq, where there are restrictions on bringing spouses and children to post. These officers serve in the face of great hardship, not for financial reward but for the satisfaction of serving the United States of America, protecting its interests, and promoting peace among nations.

I hope my colleagues will join me in recognizing the enormous contribution made by Ambassador Anne Patterson and all those who serve in the Foreign Service and the State Department.

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. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENIORS COLA INCREASE

Mr. SANDERS. Madam President, tomorrow I intend to call up an amendment within the discussion of the jobs bill which I think will have significant impact on the lives of many millions of our fellow Americans. As you know, this year for the first time in many decades, our senior citizens are not going to be seeing a cost-of-living increase. In this very severe recession, that is unfortunate. Seniors in Vermont and around the country have told me that because of rising health care costs, because of rising energy and heating costs, because of rising prescription drug costs—all issues which seniors and disabled veterans are particularly prone to—it is unfair they not get a COLA this year.

I am very happy to inform my colleagues that President Obama, in his budget, has made it very clear he understands the need for a $250 emergency payment to go out to over 55 million seniors, veterans, and the disabled. I very much appreciate his support for this concept. And he is absolutely right, that in these very difficult times we cannot forget about some of the most vulnerable people in our society. There are a lot of lower income seniors out there who are struggling, as well as disabled veterans and disabled people in general.

This amendment, which essentially does this year what we did last year in the stimulus package, would provide a one-time $250 payment. This amendment has very widespread support all over this country, and let me mention to you some of the organizations that are supporting it. The largest senior group in America is the AARP, and they are very vigorously supporting this concept, the American Legion and the Veterans of Foreign Wars are supporting this $250 payment, the National Committee to Preserve Social Security and Medicare is supporting it, the Disabled Veterans of America—the DVA—is supporting it, the Older Women's League is supporting it, and many other organizations representing seniors, disabled people, and our veterans are supporting it.

This recession has forced more and more seniors out of the middle class and into poverty. In fact, according to a National Academy of Sciences formula, the poverty rate among Americans 65 and older is close to 19 percent—almost double the official poverty rate of 9.7 percent. One of the problems I have had in dealing with Social Security COLAs for many years, including when I was in the House, is I have long believed it is an error, a statistical problem, when we lump everybody together and formulate what a COLA is. If you lump everybody together, I think you can probably make the argument that there is no inflation and in fact in some instances there is deflation.

We see that every day. Young people who go out and buy a laptop computer will probably pay less for that laptop today than they did a year ago. Prices may be going down. For wide-screen TVs, prices may be going down. For many items people buy, prices may be going down. But seniors have a different set of needs than ordinary Americans and 16-year-old kids have. Seniors are much more dependent on prescription drugs. The cost of prescription drugs is going up. Seniors are much more dependent on health care. The cost of health care is going up. Seniors are dependent—at least in the Northeast where I live, in Vermont—on keeping their homes warm, and the cost of fuel has gone up. So I think if you take a hard look at the needs of seniors, the needs of people with disabilities, the needs of disabled veterans, you will find they have seen increased costs over the year. And if we say to those folks: There is no COLA for Social Security, and we are not doing anything for you, they are going to find themselves in substantially worse shape than they were last year.

I did want to say that this amendment, as of now, is supported by Senators DODD, GILLIBRAND, LEAHY, and WHITEHOUSE, and we look forward to more support. This concept is in the President's budget, and the President has been very clear about the need to go forward with a $250 payment. This amendment we will be offering tomorrow is supported by the AARP, the American Legion, the Veterans of Foreign Wars, the National Committee to Protect Social Security and Medicare, the Disabled Veterans of America, Older Women's League, and many other organizations.

We will be offering an amendment which simply says we are not going to leave America's seniors out in the cold. We are not going to leave America's disabled veterans out in the cold. And while there is no COLA this year, we are at least going to do what we did last year and provide them with a $250 emergency payment. Not a whole lot of money in the great scheme of things, but, trust me, having just met with seniors on Monday, a lot of seniors in this country today are finding it very difficult to feed themselves and to take care of their basic needs. While this is not going to solve all of their problems by any means, it is going to help. So I would hope that tomorrow my colleagues will be supporting this amendment when we bring it forth.

Madam President, with that, I yield the floor.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHWAY TRUST FUND EXTENSION

Mr. INHOFE. Mr. President, I cannot express how frustrated I am with Washington politics, as a result of, I believe, irresponsible behavior on the part of Democrats and Republicans, in the House and in the Senate. The Federal Highway Administration shut its doors on Monday, furloughing 2,000 employees, putting projects across the country at risk and stopping the highway program from paying States the money they are owed.

I have been in constant communication with Gary Ridley, Oklahoma's transportation secretary—I think the best one in the country. He flew here this week to help resolve this crisis. He told me if it is not worked out by Friday, there will be very serious consequences in my State of Oklahoma. There will be jobs that will be shut down, work that has already been contracted out that will be under default. I understand some of the Democrats are trying to make political hay out of this, but I want to set the record straight that a lone Republican Senator is being singled out for the blame, but in reality there is plenty of blame to go around.

Last week the Senate passed a jobs bill that included a number of tax cuts and long-term extension for the highway program. The House Democrats were divided on the bill and their leadership could not pass the bill. Given the chaos in their caucus, they passed a 30-day extension of the highway bill late last week. Because of this 30-day extension, it would add about $10 billion to the outrageous $13.2 trillion national debt.

A Republican Senator said he would only agree to it if it was offset. Senate Democrats refused to offset the package. Nobody was willing to back down. We find ourselves in this situation today.

Not only is there ample blame to go around on why Congress allowed the highway program and the FHWA to shut down, I think there is equal blame to go around on why it has taken us 6 months to pass a long-term extension.

We tried on numerous occasions to pass the extension. Frankly, this should not come as a surprise to anyone. I have been sounding the alarm for this ever since last July. We learned in July that there are a couple of Senators who are, frankly, opposed to the Federal Highway Program and want to see it underfunded, as has been the case this fiscal year.

I often said—there is no secret to this, even though I am considered to be quite a conservative—in some areas I have been a big spender. One is national defense. The other is infrastructure. That is what we are supposed to be doing here.

On the last day of the fiscal year before the 2005 highway bill expired, Senator BOXER and I, right here on the floor, attempted to pass a long-term extension of the highway program. Unfortunately, we were not successful. The same group of Senators who opposed the highway program demanded that the bill be offset. They suggested unobligated stimulus funds, but the Democrats objected to this. The chairman, that is BARBARA BOXER, and I were working hard to find offset. Senator BOXER got Democratic leadership to agree to use TARP as an offset.

I was very excited about this. I remember I thought that night—it was a Wednesday night, it was getting close to midnight. We had to do something or everything was going to fall apart. I thought we had it resolved. Unfortunately, many Republicans and some Democratic Senators object to this offset. As a result, we were stuck with a 30-day extension on the continuing resolution which funded the program at $1 billion a month more than 2009 levels.

I have to say—and I now blame Republicans for this—I have often said one of the bad things that happened to this Senate happened on October 1 of 2008, when they passed the $700 billion bank bailout bill. That is the TARP funds we are talking about. A lot of conservative Republicans objected to offsetting the TARP because that would be an admission that that money probably was not going to be repaid anyway. I think a lot of Republicans were trying to tell people back home—I didn't vote for this, by the way, but they did. Those who did—don't worry, everything is going to get paid back. It is all going to get paid back. I think we all should have known better. All you had to do was read that bill and that would have been the case.

So then it was the Republicans who refused to use that. The money was there. It could have been used and we wouldn't be facing this dilemma. We could have the 1-year loan extension. We would have time to put together a highway program, which is what we—we—want to do.

Unfortunately, some do not. So it is clear the only way to get a long-term highway extension done is for Senator REID to dedicate a week of floor time to overcome the objections of two or three Republicans who opposed the highway program. To that end, all the chairmen and ranking members of the committees involved sent a bipartisan letter to Senator REID pointing out the problem we were facing and asking for floor time to overcome the objections. Senator REID ignored this request until 2 weeks ago when he abandoned the bipartisan Baucus-Grassley jobs bill in favor of his own bill that included a long-term highway extension. I wish to point out that this maneuver cost the highway extension the bulk of Republican support.

I wish to caution that it is very dangerous to turn a bipartisan issue such as this into a partisan one. Because the highway bill was included with a number of other issues, it got caught up in the House Democratic and second stimulus bill politics unrelated to the highway program. This just reinforces that it should have been done as a standalone measure.

Let me conclude by reading an excerpt of a Tulsa World editorial—that is Tulsa, my hometown. It states:

> What's up with those geniuses in Congress? First they scurry around to get massive stimulus funding in the pipeline in an effort to quickly jump-start the economy, and then they fiddle around and let regular transportation funding that would further aid the recovery lapse. Not a good recipe for ensuring that the recovery will continue.

The editorial concludes:

> Inhofe blamed the funding snafu on politics, which comes as no surprise. Apparently it was just too much to ask of our leaders to put politics aside for once in favor of rescuing the economy and thousands of jobs.

Let me tell you that editorial was from October of last year. It is amazing that Congress has allowed the months to go by since that time.

Right now, what we are facing in my State of Oklahoma is about $415 million a week that is going to cost us. We have contracts that are already let, and we are in a dilemma now to know what to do. We are going to have to resolve this problem by, I would say, Thursday or Friday or it is going to be chaotic. I suggest it is not just my State of Oklahoma that has this problem; many other States do. I hope people set everything aside and try to get this thing done and do one of the things we are elected to do and do something about the infrastructure. Right now, it is in crisis. We are going to have to resolve it.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEMPORARY EXTENSION ACT OF 2010

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 278, H.R. 4691, a 30-day extension of provisions that expired Sunday, February 28; that the Bunning amendment regarding offset, which is at the desk, be the only amendment in order; that there be 60 minutes for debate with respect to the amendment, with the time equally divided and controlled between Senators REID and BUNNING or their designees; that upon the use or yielding back of time, the time until 8:30 p.m. be for debate with respect to the bill, with the

time equally divided and controlled between Senators BAUCUS and GRASSLEY or their designees; that at 8:30 p.m., the Senate proceed to vote in relation to the Bunning amendment; that no further amendments be in order; that upon disposition of the Bunning amendment, the bill, as amended, if amended, be read the third time; that prior to passage, it be in order to raise an applicable budget point of order against the bill; further, that if the point of order is raised, then a motion to waive the applicable point of order be considered made, with no further debate in order; provided that if the point of order is waived, the Senate proceed to vote on passage of the bill, as amended, if amended; further, that when the Senate resumes consideration of H.R. 4213, the next two Democratic amendments be offered by Senators MURRAY and SANDERS and the next two Republican amendments be Bunning amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, briefly, I am pleased Senator BUNNING will have an opportunity to offer the amendments that he thinks are important and that he has been stressing for the last few days. I am glad we were able to work this out and move on with the business of the Senate.

I yield the floor.

The PRESIDING OFFICER. The clerk will read the title of the bill.

The bill clerk read as follows:

A bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 3355

Mr. BUNNING. Mr. President, I call up my amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. BUNNING] proposes an amendment numbered 3355.

Mr. BUNNING. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. BUNNING. Mr. President, in a minute I will speak about my amendment to pay for this bill. First, I want to talk about how we got here.

Last week, I objected to the majority leader's request for unanimous consent to pass a 30-day extension of several expiring programs that was not paid for. I offered to pass the exact same bill that was paid for, and unfortunately he objected to my request.

There was nothing stopping him from using the tools at his disposal to overcome my objection. The leader could have filed cloture on the bill and brought it to the floor last week, instead of the travel bill that is a great giveaway to his State. If he had done that, this bill would have been signed into law already. He also could have filed cloture on the bill and worked through the weekend and it would already be law. The leader could have proceeded to the bipartisan Baucus-Grassley bill that paid for these programs and it would have been signed into law by now. He could have accepted my request to pay for the bill and we would not be here tonight. Instead, the leader decided to press ahead with a bill that adds to the debt and violates the principles of pay-go that everyone claims to care about.

Just over a month ago, the majority in the Senate passed pay-go legislation that supposedly says we are going to pay for what we spend. I support that idea, but I knew at the time that the legislation would be ignored. Unfortunately, I was right.

Barely 1 week after President Obama signed the pay-go law into effect, the majority leader proposed a bill that was not paid for. That bill passed and added $10 billion to the deficit. That is $10 billion your children and my children and grandchildren will have to pay for. That is $10 billion on top of a $14 trillion national debt. After passing $10 billion more debt on to future generations, the majority leader proposed to pass another bill to add another $10 billion to the debt. That is when I said enough is enough; we cannot keep adding to the debt and passing the buck to generations of future workers and taxpayers—my children and your children and our grandchildren.

As we all know, the national debt has grown at a record pace in recent years. A large part of that has been a result of a downturn in the economy a decade ago and then during the last few years. But increased government spending has been a major factor too. Over the last few days, several Senators on the other side of the aisle have blamed Republican spending for the debt and asked why we did not pay for things when we were in charge. They have a point. I wish we would have spent less and paid for more of it when we were in charge. There are some votes I wish I could have back, and I am sure many of my colleagues on this side of the aisle feel the same way. But it is not fair to blame Republican spending for all the drastic increases in our national debt. Our side has not controlled the Congress for more than 3 years, and the current Congress is spending more and faster than ever before.

For example, last year, the majority pushed through a so-called stimulus bill, followed quickly by an omnibus spending bill that contributed to the government ending the year $1.4 trillion in the red, the largest 1-year deficit in the history of the United States of America.

Clearly, we are not headed in the right direction. I do not want to turn this into a partisan debate because it is not a partisan issue. I only make these points to show that neither side has clean hands, and what matters is we get our spending problems under control.

As every struggling family knows, we cannot solve a debt problem by spending more. We must get our debt problems under control, and there is no better time than now. That is why I have been down here demanding that this bill be paid for. I support the programs in the bill we are discussing, and if the extension of those programs were paid for, I would gladly support the bill.

The unemployment rate in my State is well over 10 percent right now. Many rural families get their television through satellite providers in Kentucky. More than half our State is bordered by rivers, and flood insurance is vital to the people who live near those borders and any of the major-minor rivers in the State. In fact, I wrote the law that enacted the current version of the Flood Insurance Program. I care about it deeply.

I am concerned about all the other programs in this bill as well, as is every other Member of this body. That is all the more reason to pay for this bill. If we cannot pay for a bill that all 100 Senators support, how can we tell the American people with a straight face that we will ever pay for anything? That is what Senators say they want, and that is what the American people want. They want us to get our budgets in order, just like they have to get their budgets in order every day. But that is not what the majority is doing.

Tonight, tomorrow, and on every spending bill in the future, we will see whether they mean business about controlling our debt or if it is just words. We will see if pay-go has any teeth.

Tonight, I am offering a substitute amendment that pays for these important programs with Democratic ideas. Tomorrow, I will offer amendments to the offset, the longer term extender bill that was on the floor earlier today. I will be back on future spending bills demanding that they be paid for so future generations of Americans will not be burdened with our overspending.

As I said, my amendment pays for this bill with Democratic ideas. The 10-year cost of extending these programs for 1 month is $10.26 billion. The offset I am offering will more than pay for this cost, and the offset should be familiar to many. It has been proposed by Senator BAUCUS in his substitute amendment to the long-term extension bill. It was also proposed in the Obama administration's budget.

The offset would prevent black liquor, which is a byproduct of the pulp and paper process, from being eligible for the cellulosic biofuels producer tax credit. This will save the Treasury almost $24 billion over 10 years, according to the Joint Tax Committee. As I said, this will more than pay for the cost of the bill, and there will be almost $14 billion left over.

Under the pay-go rules, that $14 billion will be available to be used to pay for the next bill Congress passes. I think we all expect that the next bill will be the long-term extension bill.

Some might say I am creating a $24 billion hole in the next bill by using that offset now. That is not true. First, we are removing over $10 billion in costs from that larger bill by enacting the 1-month extensions now, and we are also making $14 billion available for that bill.

Members on this side of the aisle, including myself, have offered and will offer ways to completely pay for the cost of that more expensive, longer term extension bill.

This pay-for is a proposal made by the majority, and I hope and expect every one of them to support my amendment. Anyone who does not should be prepared to answer why the Senate does not have to make the tough decisions to balance the government's budget while every American family does. We must bring an end to the out-of-control spending, and there is no better time than now.

I urge my colleagues to join me in saying enough and restoring some discipline to Washington. I urge everyone in this body to support this amendment.

I reserve the remainder of my time.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I rise in opposition to the Bunning amendment. The Senator from Kentucky has decided, after 1 week, to accept exactly what was offered to him last week.

Last week, we said to the Senator from Kentucky: If you want to come up with a pay-for for unemployment benefits and health care benefits, offer an amendment. You will have your chance on the floor.

The Senator from Kentucky said: No, because I may lose. Therefore, I am not going to offer the amendment. I will only object to moving forward with temporary benefits for unemployment insurance and health care and several other things, and I stand by my objection.

The Senator from Kentucky just came to the floor and found four different ways to blame the Democratic majority leader for his objection. He made the objection. I think he was the only Senator out of 100 who objected.

I don't question his motive or his sincerity, but I think, in all candor, let's understand where we are at this moment in time.

During this 1-week period of time while the Senator from Kentucky could have offered an amendment, he did not. As a result, on Sunday night, unemployment benefits were cut off for thousands of people across America, assistance for health care insurance cut off all across America, thousands of Federal employees were furloughed, Federal contracts for construction were suspended. Why? Because he did not want to offer the amendment he is offering tonight.

I am glad he is offering it, and I will tell you why I am going to oppose it. He knows and I know that if we do not pass this bill as it passed the House of Representatives, if we make a change in it, we are destined to send it over to the House to, at a minimum, wait several days or even longer for a conference committee to resolve his amendment. What happens to those unemployed people during that period of time? They don't receive checks.

Mr. President, 15,000 people in Illinois had their unemployment insurance cut off Sunday night because of Senator BUNNING's objection. In addition to that, thousands in my State lost the helping hand to pay for their health insurance. The Senator from Kentucky tonight is suggesting just take this little amendment; it will not hurt a thing; it is something you should like. While we mull over his change and move it between the House and the Senate, those people will continue to go without unemployment insurance and without health care assistance. Mr. President, 2,000 more each day are added to those rolls of unemployed people who are going to pay the price for this procedural move by the Senator.

I know there is also pain in his own State. I know many people are aware of the fact that there is high employment across the United States, millions of people who have lost their unemployment insurance. I know it has affected his State. I have seen the numbers.

As a result of the objection of the Senator from Kentucky, 4,300 unemployment insurance claimants will lose their unemployment insurance by March 13 if we do not complete action. What he has done tonight is to delay it. What is even worse about this amendment and the reason why it should be defeated is not just because it will once again delay unemployment benefits to people across America, it will once again create problems where people will lose their health insurance that they may never be able to obtain again because of preexisting conditions in their family.

What is worse, these Federal workers who cannot go to work are going to suspend construction projects that create jobs across America, while this Senator from Kentucky offers this amendment to change.

Let's look at the heart of this amendment. Where did the Senator from Kentucky come up with the resources to pay for this unemployment insurance? He came up with it from the bill that is pending on the floor, where these revenues are already being raised to pay for unemployment insurance. He is not reducing our deficit. In this situation, we have already taken this source of money and put it in the next bill related to unemployment insurance to defray the cost of unemployment insurance. He does not reduce the deficit. He just adds a procedural hurdle that delays the payment of unemployment insurance to people across America.

This could have been done last week. He was offered this chance last week. He would not take it last week. As a result, a lot of people have suffered and a lot of them have gone through hardship.

It is his right to do it as a Senator, but I think the reaction on the floor of the Senate—I might add from both sides of the aisle—is a demonstration that sometimes just because we have the power to do things, we ought to think twice before we use that power. I have the power to put a hold on every nomination this President or any President seeks. I have the power to object to any unanimous consent request that comes to the floor of the Senate. But people elect us not just to make political judgment but to make good judgment. In this case, the political judgment was made that the unemployed people involved were expendable, they could wait, wait for days, if not weeks, until we get around to a political debate about the deficit.

I am troubled, too, by the argument that the Senator believes he is one of the few stalwarts on the floor of the Senate when it comes to deficit reduction. The record suggests he has voted for two wars under President Bush that were not paid for, costing the United States almost $1 trillion, adding directly to our debt.

The Senator also has supported eliminating the estate tax on the richest people in America. Certainly, that is going to blow a hole in any budget and add to the deficit. The same was true with the Medicare prescription drug program. The Senator voted for that without paying for it, adding at least $40 billion to the deficit.

You know, those of us who have been here for a while have cast many votes—and my critics will find plenty of things to criticize about my voting record—but before I would come to the floor and stop unemployment insurance for people who are wondering where their next meal is coming from, I would think twice about saving that debate so that the victims aren't the most helpless people in America who have lost their job through no fault of their own.

I urge my colleagues, when this amendment comes for a vote later this evening, to think twice. If you vote with the Senator from Kentucky, who takes his revenue source from another bill that we will vote on tomorrow, you will delay the unemployment checks again. We will have come up with another excuse to say no.

The Senator from Kentucky has made it clear he doesn't believe unemployment compensation is an emergency need in America. I disagree. I think we are in an emergency situation in our economy. I have met with these unemployed people in my State and other States. These are desperate people. Some have been out of work for 2 years. They may lose everything before it is all over. I hope they don't. They are training for new jobs, they have exhausted their savings and are trying to keep their families together. A family

I read about today said they put everything they own in one of those storage lockers because they lost their home. They moved from homeless shelters to live in the back of their car. Is that an economic emergency? Maybe not to Members of the Senate, because our lives are pretty comfortable, but it is certainly an emergency for those families.

The real question in this debate is who are we are as a Nation? Do we care about these people, these breadwinners who are now down on their luck; these folks who have worked for years and are now out of work through no fault of their own, and doing everything they can legally to find a way to survive or is it just another political debate, another political issue, another chance to score a political point at the expense of some people who really aren't in a very strong position to defend themselves?

I just hope tonight we will defeat the Bunning amendment. Tomorrow, we will have a chance to put a substantial downpayment on unemployment benefits and COBRA benefits in the bill that Chairman BAUCUS brings to the floor. And I hope we understand that is the right way to do this. What an empty victory if we end up voting for the Bunning amendment and stop unemployment benefits as a result while we try to work out differences between the House and the Senate.

There is a lot more we can do here to help get this economy moving again. One of the things that holds us back is when we get embroiled in these procedural parliamentary tangles that eat up day after day and week after week, which leave us frustrated on the floor of the Senate and people across America angry that we aren't dealing with the real issues that count—issues such as creating jobs, issues such as making sure that there is affordable health care for everyone in this country. We should be dealing with that.

The Senator from Kentucky said: You know, the majority leader could have filed cloture, waited 48 hours, waited another 30 hours. Then we could have gone through the weekend. For what purpose? For what purpose? We have reached the point that was offered to the Senator from Kentucky from the start. He is going to get his vote, but a week has passed. A week has been wasted—a week where we should have rolled up our sleeves and done the things the people of America send us here to do.

What about the deficit and the debt? It is serious. The majority leader has asked me to serve on the deficit commission with Senators BAUCUS and CONRAD. It is a tough assignment. I don't think it is going to be easy to figure out how to deal with a $14 trillion debt in this Nation. But I will tell you this: We will do a lot better with that national debt if we have a strong national economy and people back to work. We will be a lot better off as a nation if families can keep their kids in school and folks can get up and go to work. This notion that we are somehow going to balance our national budget on the backs of unemployed people—please. Aren't we better than that as a nation? I think we are.

Twice last year the Senator from Kentucky voted to extend unemployment benefits without paying for them. Tonight, he insists we pay for them. Everybody is entitled to change their mind. When Abraham Lincoln—who was born in Kentucky, raised in Illinois—was accused by his critics, his President, of changing his mind, he said: Yes, I did change my mind. But I would rather be right some of the time than wrong all of the time. So we do change our minds on these issues. But let's not change our minds at the expense of innocent, helpless Americans who are looking for a helping hand.

If a tornado swept across the State of Kentucky in the weeks ahead, God forbid, and the Senator from Kentucky came and said we have an emergency on our hands, I would stand up to help him, as I believe he would if it happened to my State. We do that because we care for one another in this Nation. We may have political differences—and there have been plenty of them—but they shouldn't be at the expense of our basic need to deal with the problems that we face.

The Governor of Kentucky sent Senator BUNNING a letter and a copy to me. In the letter, he says:

> Facing an unemployment rate of 10.7 percent in Kentucky and 9.7 percent across the Nation, I urge you to allow passage of H.R. 4691, a vital extension of unemployment benefits to 1.2 million Americans, including tens of thousands right here in Kentucky.

The Governor of Kentucky, who wrote to Senator BUNNING, went on to say:

> There are 119,230 Kentuckians currently receiving benefits through the Federal extension program. Without a further extension, 14,206 claimants will exhaust all extension benefits within 2 weeks.

It would take us 2 weeks, if the Bunning amendment is adopted, to finally get this done, if we get it done in that period of time. The Governor went on to write:

> By the end of March, a total of 22,797 Kentuckians will exhaust their benefits; by mid-April 31,521 will exhaust their benefits; and by July 31, the remainder of those receiving benefits will exhaust them. Beyond the number of those receiving extension benefits, another 90,000 Kentuckians currently on unemployment insurance will not be eligible for the Federal extension program at all.
>
> These unemployed Kentuckians come from hard-working families that have struggled for months to find new employment in the greatest economic recession in our lifetime. They are mothers and fathers who are trying to put food on the table for their children and seniors who are trying to pay the rent.
>
> In addition to the extension of unemployment benefits, this bill also includes important extensions of Federal subsidies to pay health premiums for those unemployed people who lost health insurance when they lost their jobs, current Medicare payment rates for doctors, flood insurance, and small business loans.

The Governor closed his letter to Senator BUNNING, saying:

> I urge you to reverse your position on this bill and would welcome any opportunity to provide you with further information on its tremendous necessity.

It is signed: Sincerely, Steven L. Beshear, Governor of Kentucky.

That letter could have come from any Governor in our Nation. That is the employment picture and the economic picture in my State and so many States across the Nation.

Please, when we get down to these budget debates, we should be sensitive to the fact that there are helpless victims to some of the procedural moves made on the floor of the Senate. It is time for us to stick together—both parties, I hope—in an effort to stand up for the unemployed and get this economy back on its feet.

I urge my colleagues to defeat the Bunning amendment. It will only slow down the unemployment benefits these people have been waiting for and are worried that they may not receive. It will mean that more and more people will fall out of coverage and health insurance, and it will mean that Medicare services won't be available to seniors across the Nation when doctors decide they are not being reimbursed enough. Those are some of the basics in this bill.

The revenue source Senator BUNNING uses is included in this jobs bill that is before us, as soon as this matter is over. If you believe that in helping to pay for unemployment benefits we should use this source, as the Finance Committee has suggested, and I certainly agree with it, you will have ample opportunity to do that immediately after we pass this bill. In the meantime, let us waste no time, waste no effort in making sure that these needy people across America get the helping hand they deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 17 minutes 25 seconds.

Mr. BUNNING. I thank the Chair.

As the good Senator from Illinois knows, there is no need for a conference, since the House has already passed this bill and has already passed the language in this amendment. I am very sure that they would be willing to accept their own bill back and paid for.

He mentioned the fact that I objected four times. I objected more than four, but the majority leader objected four times to my request. That was nowhere in his statement.

And talking about Medicare Part D premiums and the cost of Medicare Part D, the majority party in this Senate has had 3 years to repeal Medicare Part D if it was a bad idea at the time we passed it. Certainly, with 60 full votes in the Senate, it could have repealed what they considered a bad bill. The fact it was not paid for was not to my liking. The fact that we were going

to take care of Medicare senior citizens who couldn't afford their prescription drugs took precedence.

He spoke about the letter from the Governor of Kentucky. I didn't receive it. I had no knowledge of the letter until it was brought up by the Senator from Illinois. It is amazing to me the number of misstatements, and how the Governor—a Democratic Governor of the Commonwealth—could bring all these facts out to the Senator from Illinois and not the Senator from Kentucky.

There are so many things that I can say, but I have, I guess, 11 constituent communications here—either phone calls or letters, usually e-mails—and I am going to read a couple of them because I want to reserve some time in case the Senator from Illinois gets up again.

This is from Randall in Bardstown, KY.

> Just want to thank you for your principled stand against the squandering of our country's wealth. Yes, we need to help those out of work; but no, we do not want to print more money to do it. I have two sons on unemployment at this time, yet we realize we cannot continue to spend money that doesn't exist.
>
> Thank you very much, Senator Bunning, for having the guts to stand up for your principles and oppose further spending of money we simply do not have. In particular, I am glad you stood up against extending unemployment benefits, which would put us further in debt. Regards.

That was from Bob in Burlington, KY. And here is another:

> I just want to send you some encouragement to hold your ground in the Senate on renewing unemployment extension benefits. As a Kentucky taxpayer and a Federal taxpayer, I am tired of seeing unfunded and underfunded programs pass by Congress, and I am glad you are taking a stand. As an American and a Kentuckian, I believe the government has failed the American people almost totally, but at least in this instance you are not failing us. Please keep your resolve and don't let pressure and influence sway a good decision.

That was from William in Flemingsburg, KY.

> I am surprised that you don't have more support when you are 100 percent correct; that if 100 men in agreement can't find a way to pay for a program, they will never pay for anything. Our deficit has got to stop, and now is always the best time to start. Thank you for standing up for us.

That was Mark from Independence, KY.

This will be the last one because I still have about three more pages of them:

> Thank you for holding firm last night. You are very much appreciated for being willing to say no to extended benefits that no one knows how to pay for or who will foot the bill. It takes a very special individual to stand firm when everyone around you seems to be caving in.

That is from Debbie from Somerset, KY.

These are just a few. There are more. But there are a lot of really good people in the Commonwealth of Kentucky—4.2 million—who want their Senators, their Members of the House, to stand up for themselves. I appreciate hearing from each and every one of them. I thank them for their support.

I reserve the remainder of my time.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I also received some e-mail and letters from Kentuckians. It is a great State. It is the ancestral home of many Durbins—one hailed from Sunfish, KY, which is a pretty tiny town, I am told, and came up north to Illinois. It is a beautiful State, and I have enjoyed visiting there many times.

A lady named Joy from Florence, KY, contacted me and said:

> Hello, I am 50 years old and I got let go a year and a half ago from my job because I was getting older and they could pay less for the younger workers. . . .
>
> Most places I applied to won't hire by experience—they want a college degree.
>
> I have an elderly mother and handicapped child. I am behind in all my bills and if there is not another extension I will not be able to pay any bills. I am hoping you will put through another extension—hopefully things will improve come spring.

A letter from someone named J.R.—didn't give a hometown, said he is from Kentucky. I will not read some portions of this letter, but I will read this part:

> I would like to say I am unemployed and [unemployment insurance] has allowed me to keep my home etc. There still are no jobs that will allow me to live on. I have . . . cut back to just the basic needs—the Internet next. And then I will start selling my belongings to get by.
>
> I sit and wonder if everyone on unemployment gets cut off, do the Senate and Congress realize the war here in the United States will be worse than the one we are in overseas? There will be so much stealing and . . . no telling what else just for people to try and survive and feed their families.
>
> God help us all.

There is a letter of desperation. It is an unimaginable scene that we would reach in any community here in this country in any State. But I think it reflects the fact that some people who write and say ''cut them off'' and ''so what'' are pretty fortunate people. They probably have a job. They probably have a home. They may not be worried about where their next meal is coming from. But for millions of Americans, that is not the story.

I understand the Senator from Kentucky sees this differently, but I take the issue of health insurance as an example. If you have ever had the experience as a parent having a sick child and having no health insurance, it is something you will never forget as long as you live. It happened to me when I was a law student. My wife and I were newly married, and we had no health insurance and a baby with a medical problem. I try to imagine what it would be like—ours was a temporary experience—what it would be like if that is what you had to face day-in and day-out, week-in and week-out, month after month, year after year. That is what these folks are up against. The only chance they have to hang on to health insurance is this COBRA program.

The COBRA program—let me add parenthetically, that was created through reconciliation. This process that has been condemned by some created the COBRA program and said we are going to provide health insurance for the unemployed people in America, and the President's stimulus package said we will help them pay for the premiums, and the objection of the Senator from Kentucky cut off those COBRA payments for thousands of people across America. I don't know what is going to happen now. I don't know, if some of them lost their health insurance and try to get it back, whether they are going to be denied coverage because of a preexisting condition. I hope that doesn't happen, but it will mean this was not just another political debate for them; it will mean they have lost the coverage which all of us want to have for all of our families.

COBRA coverage consumes nearly 84 percent of unemployment checks if you don't get a helping hand from the government. In Illinois, monthly unemployment benefits are just over $1,300. The average monthly COBRA family health insurance premium is over $1,100. So you can see it is impossible for a family with $1,300 a month to pay a $1,100-a-month premium. So 65 percent of that cost is deferred by this program, and that program was stopped because of the objection by the Senator from Kentucky.

He said we should have gone through the cloture votes; in other words, we should have faced his filibuster head-on and taken all the time it took to resolve our way through it. And each hour of each day that we did that, more and more people would fall out of coverage of health insurance. We don't. As Members of Congress, we have a pretty generous health insurance plan. We share it with all the other Federal employees, 8 million of us and our families. It gives us the very best coverage, with the government picking up about two-thirds or three-fourths of the cost. We don't have to worry about gaps in coverage. As we receive our checks, we are going to be able to protect our families. But for the folks who are unemployed, that just is not the case.

The objection of the Senator from Kentucky also affected, as I mentioned, transportation across the United States. Federal reimbursement to States for highway and transit projects, on the order of hundreds of millions of dollars each day, is stopped because of Senator BUNNING's objection, forcing halts in construction work and layoffs of construction workers in the middle of the worst economic downturn since the Great Depression.

Today, the Secretary of Transportation, Ray LaHood, called to tell me of the need for an urgent response to get these people back to work so they can inspect projects and folks working for contractors and working across

America can get back to work. They are stopped cold, dead in their tracks because of the objection by the Senator from Kentucky.

Now he wants to let this go on a little further—amend this bill; let's send it over to the House; let's see if they accept it; maybe they won't; maybe there will be a conference; maybe in a few days or a few weeks we can get it done. It is a 30-day extension, and it defeats its purpose if we accept this amendment and delay it because of those possibilities. He can no more guarantee that it will not happen than I can guarantee that it will, but why do we want to create that uncertainty for people who have been facing this uncertainty?

The objection of the Senator from Kentucky also stopped Small Business Administration assistance to small businesses in Illinois and Kentucky as well. The SBA has an outstanding loan waiting list from small businesses totaling $140 million. Because of Senator BUNNING's objection, 3,000 small businesses this month will be denied access to loans they need to run their businesses, to pay their employees, and to create new jobs. In the middle of a recession, can we think of a worse thing to do than to cut off small businesses?

It did not have to happen. If Senator BUNNING would have taken the offer he had last week from the majority leader and offered this amendment last week, we could have avoided all of this. A week later, he has decided: All right, I will take the offer. But a lot of people have paid the price in the meantime.

We will not stop until we have provided the assistance that unemployed Americans need, that families in Illinois and Kentucky and across America desperately want us to bring. Eventually, we will prevail and we will care for those who are struggling.

In the meantime, I urge my colleagues, please do not support the amendment of the Senator from Kentucky. It is, unfortunately, a way to delay this critically needed assistance even further.

I reserve the remainder of my time and yield the floor.

Madam President, before I do, I ask unanimous consent that the last 5 minutes on the Democratic side be reserved for the chairman of the Senate Finance Committee, Senator BAUCUS.

The PRESIDING OFFICER. Without objection, it is so ordered. I note that the Senator from Illinois has 5 minutes 30 seconds.

Mr. BUNNING. I want to object.

The PRESIDING OFFICER. Objection is heard.

Mr. BUNNING. I want to understand what the Senator has proposed in plain English.

Mr. DURBIN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes 20 seconds.

Mr. DURBIN. I have asked unanimous consent that the last 5 minutes on the Democratic side be reserved for Senator BAUCUS, the chairman of the Senate Finance Committee.

The PRESIDING OFFICER. Is there objection?

Mr. BUNNING. Reserving the right to object, what 5 minutes is he talking about—his time or the time that is already reserved for the chairman of the Finance Committee and the ranking member of the Finance Committee?

Mr. DURBIN. All the time of debate on your amendment has been equally divided between Democrats and Republicans. I am not asking for your time. I am asking that, on the Democratic time, the last 5 minutes be given to Senator BAUCUS.

Mr. BUNNING. So I understand, on the time that is reserved for the Senator from Montana and the Senator from Iowa?

Mr. DURBIN. Yes.

Mr. BUNNING. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUNNING. I yield whatever time the Senator from Alabama will consume.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, there is always an easy way to get something done in this body, and that is to spend money and not pay for it. And I am sure that gets a lot of Democratic votes and they could just pass this bill right through the body. I am sure our House Members, the majority in the House, will just pass this legislation and we will just add $10 billion more to the debt. That is what we are talking about.

Is this necessary? Senator BUNNING has made a number of suggestions about how this bill could be paid for. But it is not a question of delaying it, in my view; it is just simply a question of not wanting to use any of our existing moneys to pay for the extension of unemployment insurance. If we don't do that, if we don't pay for it, as we in the Senate are wont to say, then where does the money come from? We borrow it.

There is an interesting article in the Washington Times today, a front-page article talking about how much of our debt China owns. They say they own a good bit more of it than we have understood, that a lot of their money goes through other institutions, and then they buy U.S. Treasury bills, and really the amount owned by China is larger than we expect. Well, so be it. I don't know what that number is. But it is not healthy for the United States of America to incur the amount of debt we are now incurring. It is not healthy.

Just a few weeks ago, this very Senate, our Democratic majority, with great pride, passed the pay-go legislation saying that if we have additional expenditures, we will pay for it unless, of course, we deem it an emergency and we get a supermajority and then we don't have to pay for it.

Well, here we are just a few weeks later. We want to spend some more money to help out on unemployment insurance. I think that is a worthy goal, and I think it is something we need to do. But where do you get the money? I would suggest several places. Senator BUNNING has a place that I think my Democratic colleagues have supported—a tax credit account. I would say that has possibilities. I know he has also supported out of the unspent stimulus money—that could be a source of it.

But all of these things apparently are just being rejected. Why are they being rejected? I assume it is because my colleagues want to spend that money on something else, an additional new spending program that is not clear to us at this time; otherwise, why would there be an objection to it?

So I think the thing that has come to my mind is we can't keep going on like this. We really can't.

We just had a hearing in the Budget Committee. The witnesses—most of them were Democratically called witnesses, but every single one of them said we are on an unsustainable financial course. We are spending more money than we are taking in at an unprecedented amount each year and we cannot sustain it. At some point, we have to decide if we are going to stop. At some point, we are going to have to decide, just like our families, our cities, our counties, our States; they are having to decide they don't have the money, and they either can't borrow more or they don't want to borrow more. And they actually, amazingly, may even reduce spending for a while. Do you think those counties and cities and States are no longer going to exist? Will they fall off the face of the planet? Senator BUNNING has been around a long time. He knows that is not so. Every day, businesses are having to cut back. Families are cutting back. We can't cut back at all, but we continue to expend greater and greater amounts.

The basic budget for this year has discretionary spending, nonmandatory spending, which goes up about 10 percent. On top of that is the $800 billion stimulus package. All that is debt. The $800 billion, we had none of it in our accounts or our banks. We had to borrow it. Every penny of that we pay interest on. This will be $10 billion more.

Well, it is just $10 billion. After $800 billion, that is not very much, is it? Oh, yes, it is. Ten billion dollars is more than Alabama's State budget, and we are an average-sized State, about 4 or 5 million people. That is bigger than our State budget.

So one little whip—and Senator DURBIN, who is so eloquent, said: Well, we just need to pass it right now. We do not need to be talking about paying for it. If you say we want to pay for it, that might take an extra day to get the paperwork worked out with the House of Representatives. Somehow it is Senator BUNNING's fault that he has actually been asked to give his consent that this body would increase our debt by $10 billion and let this bill pass.

Senator BUNNING says: I am not going to do it. You asked my consent. I am a Member of the Senate. I have a right to give that consent. If I have a right to give it, I have a right to withhold it, and I am going to withhold it unless you pay for this bill. So I do not think that is anything that should subject him to criticism.

Oh, yes, it slowed down the plan. The plan was all greased. We were going to zip this right through, pop another $10 billion to the Nation's debt, and claim we have solved all our problems, at least for the moment.

But that is not a healthy approach. I think it is a healthy approach for someone with the gumption to stand and question what we are doing, to say: You have asked for my consent for something, I do not believe in it, and I am not going to give it. I think it is time for us to get on a more sound financial footing.

I just wish to say to Senator BUNNING, I respect the Senator's view on that. A lot of people do. I think it is interesting our colleagues like to quote letters from people in Kentucky, talking about that they are suffering as a result of unemployment and that is so painful.

But I am sure you got letters, as I have got letters. In my townhall meetings, people are coming up to me and saying: Are you people losing your minds? How much money do you think you can continue to spend? Time and time again, I hear that. Go through the airports: Keep fighting. Hold the line. Do not give in.

They are not talking about adding another $10 billion to the debt because we will not even slow down long enough to figure out how to pay for it. That is not what my constituents are telling me. I am sure they are not telling Senator BUNNING that. So I think this is a big deal.

So when are we going to end this process? When does it stop? I say the time to begin to stop is now. I am going to be supportive of Senator BUNNING in his plan. I feel this matter is getting out of hand.

As I explained the other night, I serve on the Budget Committee. The budget numbers are not in dispute. The budget proposed by President Obama, a 10-year budget, analyzed over 10 years by the Congressional Budget Office, would conclude this: Last year we paid, in 1 year, interest on our debt of $170 billion. According to the Congressional Budget Office, because we are tripling the national debt at the rate we are going, in 10 years the amount of interest we will pay on the debt is $799 billion.

I think the American people understand this is unacceptable. They do not need an accountant or an economist or a bureaucrat to tell them this is an unsustainable path. They know it is. They have known it is for some time. Some people say: Well, this is just a populist revival. They do not understand. We understand better. You have to borrow, borrow, borrow to make our economy go back.

Well, what an individual from Alabama told me today out in the hall was the same thing a constituent told me a few weeks ago back in Evergreen. It is, you cannot borrow your way out of debt. You cannot borrow your way out of debt. This is a fundamental principle of life. We seem to have lost sight of it.

So we are on a path that is unsustainable. We see what has happened in Greece. It is destabilizing the entire European Union or it threatens it. We have seen other countries get in the same kind of trouble. Our country is not very far behind.

Moody's is already talking about downgrading our debt rating, the amount of money you have to pay to get insurance against credit, against default against the U.S. government has tripled in the last few years. These are people who do this stuff for a profit. People are worried. So I would say to my friends and colleagues, it is not that complicated. We simply have to stop spending so much money. We have to stop spending so much money. We cannot do everything we would like to do. We do not have the money. Most people understand that in their lives, and most of our local governments understand that. But we in the Senate think we know better.

I would just say, with regard to the small business taxes and some of the things that probably would be somewhat helpful in creating economic growth, I am so disappointed we did not include more of that in the bill we passed when this stimulus bill passed. I remember coming to the floor quoting—right before the final vote—a major op-ed in the Wall Street Journal by a Nobel Prize laureate, Gary Becker, who said: This bill you are considering in the Senate does not have sufficient stimulative impact. He thought it would be much less than $1 per $1 in, and you should get well above $1 in a good stimulus package. He warned it was not going to be a job creator.

Senator MCCAIN had a better bill, at half the cost, $400 billion, targeted for jobs, targeted for economic growth, not a welfare bill, a stimulative bill, voted down by the Democratic majority.

Senator THUNE offered an amendment similar to the one Paul Ryan and others in the House of Representatives had put together, about half the cost of the bill we passed that would score, according to Christina Romer, President Obama's Chief Economic Adviser—her model of how you score these things would have created twice as many jobs for half as much money as this monstrosity we passed—others passed. My wife reminds me, do not say ''we'' when you voted against it.

So this is what we are now in. We have thrown out 400 or so billion, $400 billion not yet spent. It is not getting the impact we wanted. That is so tragic. For everybody who is unemployed today, they need to wonder why this Congress insisted on passing legislation we were warned would not be effective in creating jobs, which is the key to our economic growth and prosperity.

So I would say: I know good people can disagree. Some people think that when we are in a recession, we should keep spending, no matter how long, no matter how much, and somehow this will make us come out of it. But when you are creating an $800 billion-a-year interest payment, you realize it does not work that way.

If that was the way it worked, why did we not spend $1.6 trillion in the stimulus package instead of $800 billion? Why did we not spend $1,600 billion in stimulus rather than 800? Because obviously that is a philosophy that has its limits.

I thank the Chair and I yield the floor. I am proud to support the Senator from Kentucky.

Mr. LEVIN. Mr. President, I am relieved that we are preparing to vote on this much-needed measure. I am disappointed that we have taken so long to get to this point.

There is very little opposition in this Chamber to the extension of unemployment and COBRA benefits. Few question the crisis we would kick off in homes across this country if we fail to extend these benefits. In the State of Michigan, 135,000 of these workers face the end of their unemployment benefits. Each of these homes is already dealing with a tragedy—the loss of a job. In most cases, these are mothers and fathers who have done what we expect American families to do: work hard, do their best, try to put food on the table and a roof over their family's heads, and hopefully ensure a better life for their children. This quintessentially American quest has been derailed by forces totally outside the control of most of those affected.

This extension means more than help to workers out of a job. It means help for our entire economy. Economists tell us that payments such as unemployment benefits are the most efficient way we can increase growth in our still-struggling economy. An unemployment check is more than just help for a family. It means local grocery stores still have customers, that unemployed workers can continue paying their bills. The consequences of an extension of these benefits—or a decision not to extend them—will ripple throughout the economy.

But above all, we should keep in mind those families who are afraid: wondering, worrying, about what is going to happen. In their moment of crisis, we can choose to reach out a much-needed helping hand. Or we can turn away. To have delayed this extension has been needlessly cruel. We owe a duty to these families now, a duty not to compound the tragedy they already face.

The PRESIDING OFFICER. Who yields time?

Mr. BUNNING. How much time is left on our side?

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

There is 5 minutes 15 seconds remaining.

Mr. BUNNING. I reserve that time until the 10 minutes prior to the time expiring. In other words, the last 5 minutes is going to Senator BAUCUS. I reserve the time prior to the Baucus time. I ask unanimous consent to do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kentucky.

Mr. BUNNING. Mr. President, let me begin by addressing some of the arguments made by the other side of the aisle against my amendment. First, the Senator from Illinois said that this would cause a needless delay in extending these programs, potentially causing a protracted negotiation with the House. With all due respect, that is nonsense. We all know the House can act very quickly. In fact, they did so when they sent this bill, H.R. 4691, to us. The House has already passed my black liquor offset. I want everybody to understand that we pay for the extension of unemployment benefits, COBRA assistance, health care assistance so everybody is covered. The larger bill that we are dealing with on the floor, the one we took off the floor to address this amendment and this bill, also extends these provisions longer than just a month—the highway bill, the doc fix on Medicare, the small business loans that we heard about that we are destroying with our objections, and the rural satellite TV viewers.

I sincerely believe if we can't find $10 billion to pay for something that all 100 Senators support, we are in deep trouble. I think the Senator from Alabama made that very clear. I am on the Budget Committee also. I have heard those numbers over and over, not from just the Republican people who come before the Budget Committee but from the Democrats who testify before the committee. We are on an unsustainable path as far as the budget.

The question before the Senate is not whether Senators support unemployment benefits or all the other important things in this bill. The question is whether we as a Senate and as a government are going to pay for what we spend.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 1 minute 15 seconds.

Mr. BUNNING. I think everybody understands why I have been on this floor for so long. I have been here for 12 years and 12 years in the House. I don't think I have spent this much time on the floor in any one-week period in my life. Usually on the floor of the House you only get 2 minutes to say whatever you have to say. In the Senate you get as much time, usually, as you need. I have never needed this much time. But something so important, particularly after pay-go, and even the larger bill we have before us, $104 billion of the $108 billion expended in that bill is emergency spending. That is emergency spending that is not paid for. So when we get to the bigger bill, we will have some amendments for that.

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. BEGICH. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNATURE AUTHORIZATION

Mr. BEGICH. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills and joint resolutions during today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California.

Mrs. BOXER. How much time remains?

The PRESIDING OFFICER. There is 55 seconds remaining.

Mrs. BOXER. I want to say, on behalf of many of us on this side of the aisle, how glad we are that Senator BUNNING has changed his mind and taken the option he was presented with on Thursday; that is, to offer an amendment and then for us to get this done. Too much pain is out there with the unemployed. A lot of workers in my State and in States all across this Nation who are unemployed suffered a great deal of anxiety over this long weekend.

Mr. President, 2,000 Department of Transportation inspectors were furloughed. That led to stoppage of work on bridge and highway construction in 17 States, because Senator BUNNING didn't take the deal he is taking now. I am glad he is taking it.

I raise a point of order that the pending Bunning amendment violates section 311 of the Congressional Budget Act.

Mr. BUNNING. Mr. President, I am sorry. I wasn't on the floor. Could the Senator make her point of order.

Mrs. BOXER. I raise a point of order that the pending Bunning amendment violates section 311 of the Congressional Budget Act.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I move to waive the applicable section of the Budget Act, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 43, nays 53, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—43

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Feingold	Nelson (NE)
Brown (MA)	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Gregg	Sessions
Burr	Hatch	Shelby
Chambliss	Isakson	Snowe
Coburn	Johanns	Thune
Cochran	Kyl	Vitter
Collins	LeMieux	Voinovich
Corker	Lieberman	Wicker
Cornyn	Lincoln	
Crapo	Lugar	

NAYS—53

Akaka	Franken	Nelson (FL)
Baucus	Gillibrand	Pryor
Bayh	Hagan	Reed
Begich	Harkin	Reid
Bennet	Inouye	Rockefeller
Bingaman	Johnson	Sanders
Boxer	Kaufman	Schumer
Brown (OH)	Kerry	Shaheen
Burris	Klobuchar	Specter
Cantwell	Kohl	Stabenow
Cardin	Landrieu	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Conrad	McCaskill	Warner
Dodd	Menendez	Webb
Dorgan	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murray	

NOT VOTING—4

Byrd	Inhofe
Hutchison	Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 43, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on the passage of the bill.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

The PRESIDING OFFICER. (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 19, as follows:

[Rollcall Vote No. 32 Leg.]

YEAS—78

Akaka	Begich	Bond
Baucus	Bennet	Boxer
Bayh	Bingaman	Brown (MA)

Brown (OH)	Inouye	Nelson (FL)
Brownback	Isakson	Pryor
Burris	Johnson	Reed
Cantwell	Kaufman	Reid
Cardin	Kerry	Roberts
Carper	Klobuchar	Rockefeller
Casey	Kohl	Sanders
Chambliss	Kyl	Schumer
Cochran	Landrieu	Shaheen
Collins	Leahy	Shelby
Conrad	LeMieux	Snowe
Dodd	Levin	Specter
Dorgan	Lieberman	Stabenow
Durbin	Lincoln	Tester
Feingold	Lugar	Udall (CO)
Feinstein	McCain	Udall (NM)
Franken	McCaskill	Vitter
Gillibrand	Menendez	Voinovich
Graham	Merkley	Warner
Grassley	Mikulski	Webb
Hagan	Murkowski	Whitehouse
Harkin	Murray	Wicker
Inhofe	Nelson (NE)	Wyden

NAYS—19

Alexander	Cornyn	Johanns
Barrasso	Crapo	McConnell
Bennett	DeMint	Risch
Bunning	Ensign	Sessions
Burr	Enzi	Thune
Coburn	Gregg	
Corker	Hatch	

NOT VOTING—3

Byrd	Hutchison	Lautenberg

The bill (H.R. 4691) was passed.

Mr. DURBIN. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TAX EXTENDERS ACT OF 2009—Resumed

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

Baucus amendment No. 3336, in the nature of a substitute.

Sessions amendment No. 3337 (to amendment No. 3336), to reduce the deficit by establishing discretionary spending caps.

Thune amendment No. 3338 (to amendment No. 3336), to create additional tax relief for businesses.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 3335 TO AMENDMENT NO. 3336

Ms. LANDRIEU. Madam President, I know we have returned to H.R. 4213. It is my intention to call up amendment No. 3335, sponsored by myself, Senator COCHRAN, Senator WICKER, and Senator VITTER.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for herself, Mr. VITTER, Mr. WICKER, and Mr. COCHRAN, proposes an amendment numbered 3335 to amendment No. 3336.

The amendment is as follows:

(Purpose: To amend the Internal Revenue Code of 1986 to extend the low-income housing credit rules for buildings in GO Zones)

After section 185, insert the following:

SEC. 186. EXTENSION OF LOW-INCOME HOUSING CREDIT RULES FOR BUILDINGS IN GO ZONES.

Section 1400N(c)(5) is amended by striking ''January 1, 2011'' and inserting ''January 1, 2013''.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I spoke at length about this amendment today, so it is not necessary for me to go into a great deal of detail. I offer it on behalf of several Senators from the gulf coast in order to help extend the placed-in-service state for several low-income housing units along the gulf coast. We are not asking for additional authority, we are not asking for new tax credits but just to allow us the tax credits that have already been allocated.

Without the State extension, we will lose literally thousands of affordable housing dwellings and approximately 13,000 jobs. Since we are focused on jobs and focused on economic growth and development, we thought this would be an appropriate amendment to this bill.

I have called up the amendment, and I will allow the leadership to decide when the appropriate time to vote on this amendment will be.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL PEACE CORPS WEEK

Mr. BYRD. Madam President, this week, March 1 through March 7, is National Peace Corps Week. It marks the 49th anniversary of this unique and important government agency.

When proposing the creation of the Peace Corps to Congress, President John F. Kennedy declared that, ''Our own freedom, and the future of freedom around the world, depends, in a very real sense, on the ability to build growing and independent nations where men can live in dignity, liberated from the bonds of hunger, ignorance, and poverty.''

For 49 years, nearly 200,000 dedicated Americans have served in 139 countries around the world helping developing nations with health and sanitation projects, assisting them in increasing their agricultural production, and educating their young. In pursuit of the Peace Corps goal of helping people help themselves, Peace Corps volunteers have served as school teachers, economic development advisers, agricultural and environmental specialists, and in various capacities as skilled laborers. Today, Peace Corps volunteers are working in countries around the world in emerging and essential areas such as information technology and business development.

In fulfilling the mission that President Kennedy established for it on March 1, 1961, the Peace Corps has become an enduring symbol of the American commitment to freedom through the encouragement of the social and economic progress of all nations. It is truly one of the most successful and influential programs in the history of our Nation.

Madam President, I use this opportunity, the 49th anniversary of the Peace Corps, to congratulate and to thank everyone ever involved in this program that provides such an important service to our country, as well as other nations, and to our fellow man.

CONGRATULATIONS TO VERMONT OLYMPIANS

Mr. LEAHY. Madam President, on a happier note, I see the distinguished Senator from Vermont, Senator SANDERS, on the floor today. I want to congratulate the Vermonters who represented our country at the Winter Olympics in Vancouver.

The Olympics themselves were exciting. I know Marcelle and I watched hours and hours of them. But we watched especially, obviously, when we saw some of these young Vermonters.

These athletes carry on a long tradition of Vermonters participating in the Winter Olympics. Hundreds of Vermonters have competed in the 21 Winter Olympiads, and it is no secret that Vermont produces great winter sports athletes, thanks to our northern climate, beautiful rugged terrain, and also a healthy sports industry.

After all, the first ski lift in the United States was a rope tow built in the town of Woodstock. I remember what a thrill it was when then-President Gerald Ford told me that the first ski lift he was on was on that ski lift in Woodstock. It is a nice memory of a wonderful person, President Gerald Ford.

Thanks to Jake Burton Carpenter and his wife Donna, Vermont is the cradle of snowboarding and it is now a central Olympic event. The Carpenters have worked so hard to make this a real sport, and they have. Our schools in ski areas have hosted dozens of international snowboarding, Alpine, and Nordic ski competitions.

Many Vermonters have won medals at the Winter Olympics over the years.

These champions include alpine skier Andrea Meade Lawrence from Rutland who was the first American to win two gold medals in 1952, Brattleboro's Bill Koch who was the first American nordic skier to medal in 1976, and alpine

skier Barbara Ann Cochran, slalom gold medalist in 1972.

The Cochran family is somewhat of an Olympic dynasty in its own right. Barbara Ann's sister Marilyn and brother Bob also competed in 1972 and her sister Lindy in 1976. Bob's son Jim raced in Saturday's slalom at his second Olympics. A member of the family is a member of my own staff and I cherish having him here.

There were 11 athletes in Vancouver this year who were born in Vermont or call Vermont home. Ten others attended high school or college in Vermont, we are going to take credit for them as well, and we are proud to do that.

Raised in Vermont are snowboarders Kelly Clark from West Dover, Lindsey Jacobellis from Stratton, Hannah Teter from Belmont and Ross Powers from Londonderry; alpine skiers Jimmy Cochran from Richmond, Nolan Kasper from Warren, and Chelsea Marshall from Pittsfield; nordic skiers Andy Newell from Shaftsbury, Liz Stephen from East Montpelier, Caitlin Compton from Warren; and freestyle skier Hannah Kearney from Norwich.

Vermont's colleges and universities, with a strong tradition of winter sports, have sent athletes, both instate and out-of-state, to numerous games. Jim Cochran is a UVM alum, along with biathlete Lowell Bailey, nordic skier Kris Freeman and hockey goalie Tim Thomas. Nordic skiers Simi Hamilton and Garrott Kuzzy are Middlebury College graduates.

Vermont's ski academies, private high schools that are dedicated to winter sports training, attract hundreds of kids from out of State every year, and have produced hundreds of Olympians. Liz Stephen and Nolan Kasper skied at Vancouver and are graduates of Burke Mountain Academy, which was the first ski academy in the country, founded in 1970. Other ski academy graduates competing in Vancouver are snowboarder Louie Vito who attended Stratton Mountain School along with Andy Newell and Ross Powers; freestyle skier Michael Morse of the Killington Mountain School; and biathlete Laura Spector and skiercross racers Paul Casey Puckett and Daron Rahlves who attended the Green Mountain Valley School along with Chelsea Marshall. Jim Cochran represented the Mount Mansfield Winter Academy, and Kelly Clark the Mount Snow Academy.

Of course, all of Vermont wants to give a special hearty congratulations to those whose efforts resulted in medals—Hannah Kearney won gold in the mogul competition.

I spoke with her the morning after. I told her I had seen her great smile on television that morning. She said I think it is going to take forever to get that smile off my face. The New York Times had a wonderful article showing Marty Candon driving her in a parade in Norwich this past weekend.

Hannah Teter and Kelly Clark won silver and bronze in the snowboard halfpipe. Our entire State is proud of your accomplishments on this international stage.

But I am proud of every Vermonter who was chosen for the Team. No matter what their results were, it has been a pleasure to watch them, and I know that each minute of competition we saw on television was preceded by hard work, sacrifice, dedication, and thousands of hours of training.

They have been great ambassadors for the United States, and fantastic role models to Vermont's kids. I say congratulations to all of them.

Finally, I want to take a moment to recognize two Vermonters who missed competing in Vancouver because of serious head injuries. Snowboarder Kevin Pearce of Norwich fell while training in Park City, UT, on December 31, and Cody Marshall, Chelsea's brother, of Pittsfield, an alpine slalom racer, was injured last summer. Both have come a long way since their injuries but have difficult recoveries ahead of them. I spoke with Kevin Pearce's mother Pia, and I know how the whole family has come together for him, just as Cody Marshall's family has come together for him. So I wish them and their families well, and I wanted them to know they are special inspirations to all of us. They are in all of our prayers and thoughts.

Vermont is a very small State—second smallest in the country—so it is almost like one big community in our sense of pride for these young people.

I see my distinguished colleague from Vermont on the floor. I yield to him.

Mr. SANDERS. I thank Senator LEAHY for yielding. There is not a lot more I can add to what he has already said.

As you well know, Vermont is a small State. We have 620,000 people—one of the smallest States in the country. But a lot of our young people grow up on the slopes of Vermont. They are involved in skiing and snowboarding from a very young age. My grandson is out there. He is 5. He is doing pretty well as a snowboarder. That is true all over the State.

I think people who have watched the extraordinary Olympics in Vancouver noted that a lot of the participants, a lot of the outstanding athletes came from the State of Vermont. The world watched as Hannah Kearney of Norwich won the first gold medal for the United States. She was closely followed in the women's snowboarding halfpipe when Vermont took both second and third place on the podium. That is quite a feat for a small State. Kelly Clark of West Dover brought home the bronze, and Hannah Teter of Belmont, the silver medal. This is an incredible feat when you consider that there were a total of just eight women on the U.S. snowboarding team; three of them were from the Green Mountain State and two of them were in the top three. That is pretty good under anybody's definition of success.

In true Vermont fashion, our Olympians bring more than talent, excellence, and commitment to their sports. They showed exemplary dedication to their communities. In other words, these men and women are more than just athletes; they are people who are concerned about the world in which they are living and the communities in which they live. When Hannah Teter took gold in the Torino games in 2006, she combined her prize money with proceeds from maple syrup sales to start a charity called ''Hannah's Gold'' which brings aid to a village in Kenya. That is what Hannah Teter did. Liz Stephen, a cross-country skier from East Montpelier, supports ''Fast and Female,'' a charity geared toward getting young girls involved in sports. Lindsey Jacobellis, a snowboarder from Stratton, VT, used her love of animals as motivation to get involved with the American Society for the Prevention of Cruelty to Animals. From charity efforts to hometown, family-owned restaurants, the impact of these outstanding individuals is felt by many.

The 11 athletes who are recognized today as Vermont Olympians are the following: in cross-country skiing, Caitlin Compton, Andy Newell; in Alpine skiing, Chelsea Marshall, Nolan Kasper, and Jimmy Cochran; in ski jumping, Nick Alexander; in freestyle skiing, gold medalist Hannah Kearney; and in snowboarding, silver medalist Hannah Teter, bronze medalist Kelly Clark, and Lindsey Jacobellis. It is with great pleasure that I congratulate these athletes on a spectacular job. The State of Vermont is very proud of you all.

TRIBUTE TO REVEREND JESSE SCOTT

Mr. REID. Madam President, I rise to acknowledge a respected voice and longstanding figure in the Las Vegas community; I rise to commend a leader of souls and a social advocate for civil rights and children for over 50 years; I rise to wish a happy 90th birthday to a man whom I and many in Las Vegas call their friend. I rise to honor Rev. Jesse Scott.

On March 3, 1920, Jesse Scott came into a world that is far different than what we see today. When I think of the challenges he and so many others have endured over the years, I am humbled by his strength, perseverance, and faith in God.

As a graduate of Southern University in Baton Rouge, LA, Reverend Scott has devoted his life to social justice. He was an organizer and president of the NAACP's Westside Branch in Los Angeles and later supervised the work of some thirty NAACP branches in southern California.

Eventually he came to Nevada, where he served as the executive director of the Las Vegas NAACP. Reverend Scott was on the front lines in efforts to move the city of Las Vegas through very challenging times. In fact he was

part of a major effort to integrate the hospitality and entertainment industry. Later, Reverend Scott was selected to serve as executive director of the Nevada Equal Rights Commission and authored an autobiography, ''Pioneer for Social Justice.''

Today, Reverend Scott is the assistant pastor at Second Baptist Church of Las Vegas and is the former pastor of Second Christian Church in Las Vegas. He is still carrying out his life's mission of social advocacy by working with Nevada's nonviolent ex-offenders to provide job training and employment. He also promotes education for children and is aligned with initiatives that help students graduate from high school and provide scholarships to college-bound young men and women.

Madam President, I ask the Senate to join me in paying tribute to Reverend Jesse Scott for his lifetime of service to Nevada and our Nation.

NOMINATION OF BARBARA KEENAN

Mr. DURBIN. Madam President, today the Senate confirmed Justice Barbara Keenan to be a judge on the U.S. Court of Appeals for the Fourth Circuit by a vote of 99–0. But the vote took place only after an unsuccessful Republican filibuster of her nomination.

This is just the latest example of the new low to which Republicans have sunk when it comes to the treatment of judicial nominations.

When the Democrats were in the minority under President Bush, we voted against cloture on a handful of his judicial nominees, but only the most controversial and only those for appellate court positions.

Under President Obama, Senate Republicans have filibustered and stalled almost every judicial nominee sent forward, regardless of the court and regardless of the controversy.

Take the case of Virginia State Supreme Court Justice Barbara Keenan. You would be hard pressed to come up with someone less controversial for this Fourth Circuit vacancy.

Justice Keenan had the strong support of her home State Senators, JIM WEBB and MARK WARNER. She sailed through the Senate Judiciary Committee without a single vote of opposition. She received the highest possible rating from the American Bar Association. And she will be the first woman from Virginia to sit on the Fourth Circuit.

Yet here we are—over 4 months after Justice Keenan was reported unanimously out of the Judiciary Committee—and the Republicans refused to agree to have an up-or-down vote on the Keenan nominee and forced the Democratic majority to waste time filing and voting on a cloture motion. They have used similar tactics with other judicial nominees.

Why are the Republicans making us jump through all these procedural hoops?

It is simple: the Republicans are trying to make us burn precious Senate floor time so we are unable able to work on pressing legislative business for the American people like job creation.

Justice Keenan had to wait 124 days between her Senate Judiciary Committee vote and her floor vote. Some other circuit court nominees of President Obama had to wait even longer than that. Fourth Circuit Judge Andre Davis was forced to wait 158 days—over five months—between his committee vote and his floor vote. Seventh Circuit Judge David Hamilton was forced to wait 168 days.

How does this compare with the treatment of President Bush's circuit court nominees?

Under President Bush, 61 judges were confirmed to the appellate courts. Their average wait time from committee vote to floor vote was a mere 29 days, according to statistics from the Congressional Research Service.

Justice Keenan was forced to wait over four times longer than the average Bush circuit court nominee who was confirmed.

This is part of a larger pattern of obstruction on judicial nominations. During President Obama's first year in office, due to Republican filibusters and holds, the Senate confirmed only 12 lower court judges. Only 12.

You have to go back to President Eisenhower to find a President who had so few judicial confirmations. President Eisenhower only had nine judicial confirmations during his first year in office. But President Eisenhower only made nine judicial nominations that year.

Every other President in the modern era had more judicial confirmations than President Obama during their first year in office.

President George W. Bush had 28, and that was with a Democratic Senate majority. President Clinton had 27, President George H.W. Bush had 15, President Reagan had 41, President Carter had 31, President Ford had 22, President Nixon had 25, President Johnson had 18, and President Kennedy had 56. But President Obama had only 12, due to unprecedented Republican obstruction.

Today is March 2. By this time in his Presidency, President George W. Bush had 39 judicial confirmations. And, it bears repeating, that was with a Democratic Senate majority. By contrast, President Obama has only 16 judicial confirmations, less than half as many as his predecessor.

There are 15 judicial nominations pending on the Senate floor. Most of them were approved in committee without a single vote of opposition. Yet, due to anonymous Republican holds, many have been waiting months and months for a vote.

This Republican obstructionism is unacceptable and it must be exposed.

WHEN DEFICITS BECOME DANGEROUS

Mr. KYL. Madam President, I recommend to my colleagues a February 11 Wall Street Journal column by Stanford economist Michael Boskin, entitled, ''When Deficits Become Dangerous.''

Boskin's premise is that the new taxes and ''enormous deficits and endless accumulation of debt'' in President Obama's budget will create a ripple effect of problems through our economy.

He explains that the debt will eventually force additional growth-smothering taxes: ''Such vast debt implies immense future tax increases. . . . It's hard to imagine a worse detriment to economic growth.''

Boskin also notes that ''so worrisome is this debt outlook that Moody's warns of a downgrade on U.S. Treasury bonds, and major global finance powers talk of ending the dollar's reign as the global reserve currency.'' He describes President Obama's budget as ''the most risky fiscal strategy in history.''

I ask unanimous consent that this article be printed in the RECORD, and urge my colleagues to consider the facts and arguments it contains.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WHEN DEFICITS BECOME DANGEROUS—DEBT-TO-GDP RATIOS OVER 90 PERCENT HAVE SIGNIFICANT IMPACT ON THE PACE OF ECONOMIC GROWTH

(By Michael J. Boskin, Feb. 11, 2010)

President Barack Obama's 2011 budget lays out a stunningly expensive big-government spending agenda, mostly to be paid for years down the road. He proposes to increase capital gains, dividend, payroll, income and energy taxes. But the enormous deficits and endless accumulation of debt will eventually force growth-inhibiting income tax hikes, a national value-added tax similar to those in Europe, or severe inflation.

On average, in the first three years of the 10-year budget plan, federal spending rises by 4.4 percent of GDP. That's more than during President Lyndon Johnson's Great Society and Vietnam War buildup and President Ronald Reagan's defense buildup combined. In those same three years, spending on average hits the highest level in American history (25.1 percent of GDP), save the peak of World War II. The average deficit of $1.4 trillion (9.6 percent of GDP) is over three times the previous 2008 record.

Remarkably, President Obama will add more red ink in his first two years than President George W. Bush—berated by conservatives for his failure to control domestic spending and by liberals for the explosion of military spending in Iraq and Afghanistan—did in eight. In his first 15 months, Mr. Obama will raise the debt burden—the ratio of the national debt to GDP—by more than Reagan did in eight years.

Some specific proposals are laudable: permanently indexing the Alternative Minimum Tax for inflation, part of the increased R&D funding, reform of agriculture subsidies, a future freeze on one-sixth of the budget (only after it balloons for two years). But these are swamped by the huge expansion and centralization of government.

True, as he often reminds us, President Obama inherited a recession and fiscal mess. Much of the deficit is the natural and desirable result of the deep recession.

As tax revenues fall much more rapidly than income, these so-called automatic stabilizers cushioned the decline in after-tax income and helped natural business-cycle dynamics and monetary policy stabilize the economy. But Mr. Obama and Congress added hundreds of billions of dollars a year of ineffective ''stimulus'' spending—more accurately characterized as social engineering and pork—when far more effective, less expensive options were available.

The Obama 10-year budget—unprecedented in its spending, taxes, deficits and accumulation of debt—is by a large margin the most risky fiscal strategy in American history. In his Feb. 1 budget message, Mr. Obama said, ''We cannot continue to borrow against our children's future.'' But that is exactly what he proposes to do.

He projects a cumulative deficit of $11.5 trillion by 2020. That brings the publicly held debt (excluding debt held inside the government, e.g., Social Security) to 77 percent of GDP, and the gross debt to over 100 percent. Presidents Reagan and George W. Bush each ended their terms at about 40 percent.

The deficits are so large relative to GDP that the debt/GDP ratio keeps growing and then explodes as entitlement costs accelerate in subsequent decades. So worrisome is this debt outlook that Moody's warns of a downgrade on U.S. Treasury bonds, and major global finance powers talk of ending the dollar's reign as the global reserve currency.

Ken Rogoff of Harvard and Carmen Reinhart of Maryland have studied the impact of high levels of national debt on economic growth in the U.S. and around the world in the last two centuries. In a study presented last month at the annual meeting of the American Economic Association in Atlanta, they conclude that, so long as the gross debt-GDP ratio is relatively modest, 30 percent–90 percent of GDP, the negative growth impact of higher debt is likely to be modest as well.

But as it gets to 90 percent of GDP, there is a dramatic slowing of economic growth by at least one percentage point a year. The likely causes are expectations of much higher taxes, uncertainty over resolution of the unsustainable deficits, and higher interest rates curtailing capital investment.

The Obama budget takes the publicly held debt to 73 percent and the gross debt to 103 percent of GDP by 2015, over this precipice. The president's economists peg long-run growth potential at 2.5 percent per year, implying per capita growth of 1.7 percent. A decline of one percentage point would cut this annual growth rate by over half. That's eventually the difference between a strong economy that can project global power and a stagnant, ossified society.

Such vast debt implies immense future tax increases. Balancing the 2015 budget would require a 43 percent increase in everyone's income taxes that year. It's hard to imagine a worse detriment to economic growth.

Presidents and political parties used to propose paths to a balanced budget. After almost doubling it, Mr. Obama proposes to substitute stabilizing the debt/GDP ratio, a much weaker goal.

That goal requires balancing the budget excluding interest payments, the so-called primary budget. But he never achieves this, even after five and a half years of economic growth, withdrawal from Iraq and Afghanistan, and repaid financial bailouts. The 2015 budget still calls for a primary deficit of $181 billion.

For perspective, returning 2015 spending to population growth plus inflation produces a primary surplus of $645 billion (3.3 percent of GDP). Mr. Obama's spending turns a short-run crisis into a medium-term debacle.

Two factors greatly compound the risk from Mr. Obama's budget plan. He is running up this debt and current and future taxes just as the baby boomers are retiring and the entitlement cost problems are growing, which will necessitate major reform. (Mr. Obama didn't get any help from his predecessors: George W. Bush's growing Medicare prescription drug benefit was not funded, and Mr. Clinton's Social Security reform was a casualty of the Monica Lewinsky scandal.) And Mr. Obama's programs increase the fraction of people getting more money back from the government than the taxes they pay almost to 50 percent, just as the demographics on an aging population will drive it up further. That's an unhealthy political dynamic.

Former Senate Majority Leader Howard Baker famously called Reaganomics—with its defense buildup, tax cuts and budget deficits—a ''riverboat gamble.'' (Which, by the way, worked out well.) Mr. Obama's fiscal strategy is more akin to the voyage of the Titanic. Let's hope he changes course soon enough to prevent disaster.

HONORING OUR ARMED FORCES

LANCE CORPORAL JOSHUA BIRCHFIELD

Mr. BAYH. Madam President, I rise with a heavy heart to honor the life of Marine LCpl Joshua Birchfield from Westville, IN. Joshua was 24 years old when he lost his life on February 19 while serving in Afghanistan in support of Operation Enduring Freedom. He was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

Today, I join family and friends in mourning his death. Joshua will forever be remembered as a loving son and a friend to many. He is survived by his parents, Bruce Birchfield and Michelle ''Shelley'' Hacker; his grandmother, Frances Birchfield of La Porte; two sisters, Rachael and Emily Birchfield, both of Westville; his stepfather, Ron Hacker, stepgrandparents, Howard and Martha Hacker, and step-great-grandmother, Mary Dickinson, all of Westville; and countless family and friends who were privileged to know him.

Joshua was a Westville native. Prior to entering the service in 2008, Joshua graduated from Westville High School in 2004. A talented athlete, Joshua excelled at baseball in high school. Friends remember Joshua's contagious passion for life.

Joshua served as a rifleman and was awarded the Purple Heart, the Combat Action Ribbon, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Sea Service Deployment Ribbon, and the NATO Medal.

While we struggle to express our sorrow over this loss, we can take pride in the example Joshua set as a marine, a son, and a brother. Today and always he will be remembered by family, friends, and fellow Hoosiers as a true American hero. We cherish the legacy of his service and his life.

As I search for words to honor this fallen marine, I recall President Lincoln's words to the families of soldiers who died at Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.''

It is my sad duty to enter the name of Joshua Birchfield in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. I pray that Joshua's family finds comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Joshua.

CORPORAL GREGORY SCOTT STULTZ

Madam President, I further rise today with a heavy heart to honor the life of Marine Cpl Gregory Scott Stultz of Brazil, IN. Greg was 22 years old when he lost his life on February 19 while serving bravely in Afghanistan in support of Operation Enduring Freedom.

I join Greg's family and friends in mourning his death. Greg will be remembered as a loving son and a friend to many. He is survived by his mother Kim Stultz, and Kevin Jackson of Brazil; his father, Bill Stultz, Jr., of Spencer, IN; his brothers, Zach Stultz and Jeremiah Jackson of Brazil; his sisters, Jessie Stultz, Miriah Stultz, Haley Stultz, and Sienna Jackson, all of Brazil; and countless family and friends who were privileged to know him.

Greg was a Brazil native and graduated from Northview High School in 2006. He was a member of the football team and captain of the wrestling team, and his athletic talent allowed him to attend Rend Lake Junior College on a wrestling scholarship. Greg actively participated in ministry at House of Hope in Brazil alongside his father and his brother Zach.

Corporal Stultz entered the Marine Corps in November of 2007 and became a decorated Recon Marine. He was awarded the Sea Service Deployment Medal, the Global War on Terrorism Medal, the National Defense Medal, and a Meritorious Mast certificate for his outstanding service.

While we struggle to express our sorrow over this loss, we can take pride in the example Greg set as a marine, a son, and a brother. Today and always he will be remembered by family, friends and fellow Hoosiers as a true American hero. We cherish the legacy of his service and his life.

As I search for words to honor this fallen marine, I recall President Lincoln's words to the families of soldiers who lost their lives at Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The

brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.''

It is my sad duty to enter the name of Gregory Scott Stultz in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace.

I pray that Greg's family finds comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Greg.

SERGEANT JEREMY MCQUEARY

Madam President, I also rise with a heavy heart to honor the life of Marine Sgt Jeremy McQueary from Columbus, IN. Jeremy was 27 years old when he lost his life on February 19th in combat while serving in Afghanistan in support of Operation Enduring Freedom. He was assigned to the 2nd Combat Engineer Battalion, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC.

Today, I join family and friends in mourning his death. Jeremy will forever be remembered as a loving husband, father, son, brother and a friend to many. He is survived by his wife Rae McQueary of Brown County and their 5-month-old son Hadley as well as his mother, Deborah Kleinschmidt, his stepfather, David Kleinschmidt, and his sister Rebecca Willison.

Jeremy was a Columbus native. Prior to entering the Marine Corps in January 2002, Jeremy graduated from Columbus East High School. His mother said he loved fishing, four-wheeling and his family.

Jeremy earned a Purple Heart after surviving a roadside bomb attack in Iraq. He nonetheless chose to return to combat after the incident, which speaks volumes about his courage.

While we struggle to express our sorrow over this loss, we can take pride in the example Jeremy set as a marine, a husband, a father, a son, and a brother. Today and always he will be remembered by family, friends, and fellow Hoosiers as a true American hero. We cherish the legacy of his service and his life.

As I search for words to honor this fallen marine, I recall President Lincoln's words to the families of soldiers who died at Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.''

It is my sad duty to enter the name of Jeremy McQueary in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace.

I pray that Jeremy's family finds comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.'' May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Jeremy.

DEMOCRACY IN AFRICA

Mr. FEINGOLD. Madam President, I would like to note the many challenges to democracy we are seeing across Africa today. I have long said that promoting and supporting democratic institutions should be a key tenet of our engagement with Africa, as good governance is essential to Africa's stability and its prosperity. Africans are well aware of this, and that is why we have seen spirited democratic movements throughout the continent, even against great odds. It is also why African leaders have committed at the African Union with the Declaration on Democracy, Political, Economic and Corporate Governance that they will work to enforce ''the right to participate in free, credible and democratic political processes.''

The previous administration spoke often about its commitment to promote democracy in Africa and throughout the world. The current administration, too, has committed to encourage strong and sustainable democratic governments, though it has rightly acknowledged that democracy is about more than holding elections. In his speech in Ghana, President Obama said:

> America will not seek to impose any system of government on any nation—the essential truth of democracy is that each nation determines its own destiny. What we will do is increase assistance for responsible individuals and institutions, with a focus on supporting good governance—on parliaments, which check abuses of power and ensure that opposition voices are heard; on the rule of law, which ensures the equal administration of justice; on civic participation, so that young people get involved . . .

I agree that we must take a more holistic approach in our efforts to promote and support democracy. Democracy is not just about a single event every few years; it is also about an ongoing process of governance that is accountable and responsive to the needs and will of citizens. And it is about citizens having the space, encouragement, and ability to educate themselves, mobilize, and participate in that process. We must help countries build such institutions and encourage such space, and we must be willing to speak out against erosions of democratic rights and freedoms—and not only once a country reaches a crisis point such as a coup.

While some African countries have made great democratic strides, I am concerned about the fragile state of democracy on the continent, especially within a number of countries set to hold elections over the next 15 months. In particular, I am concerned by the democratic backsliding in several countries that are close U.S. partners and influential regional actors. It is notable that the Director of National Intelligence included a section on ''stalled democratization'' in Africa in his public testimony last month to the Senate Intelligence Committee on annual threat assessments. He stated:

> The number of African states holding elections continues to grow although few have yet to develop strong, enduring democratic institutions and traditions. In many cases the 'winner-take-all' ethos predominates and risks exacerbating ethnic, regional, and political divisions.

Elections are only one component of the democratic process, but still they are a significant one. The pre- and post-elections periods in many countries are ones in which democratic space and institutions are most clearly tested and face the greatest strains. They can be the periods in which democracy is at its best, but they can also be the periods in which democracy faces some of its greatest threats. This is the case not only in Africa; this is the case here in the United States, and that is why I have worked tirelessly to limit the power of wealthy interests to unduly influence our elections.

Among those African countries scheduled to hold national elections in 2010 are Ethiopia, Sudan, Togo, Central African Republic, Burundi, Rwanda, Tanzania, and Burkina Faso. Guinea, Madagascar, and Niger, three countries that have recently had coups, have also committed to hold elections this year. And in early 2011, Benin, Djibouti, Uganda, Nigeria, and Chad are all scheduled to hold elections.

Of all these elections, Sudan's is already receiving significant attention, and for good reason. That election—the country's first multiparty one in 24 years—has the potential to be a historic step toward political transformation in Sudan if it is credible. However, restrictions on opposition parties and the continued insecurity in Darfur have many doubting whether the conditions even exist for credible elections. Furthermore, increasing violence within southern Sudan is very worrying. In any case, the results of Sudan's election in April will have a great influence on political dynamics within the country and region for years to come and will pave the way for southern Sudan's vote on self-determination, set for January 2011. The international community is rightly keeping a close eye on these elections, and we need to continue supporting efforts to make them credible and be prepared to speak out against any abuses or rigging.

Similarly, we need to keep a close eye on the other African countries holding important elections this year. Let me highlight four countries whose upcoming elections I believe also merit close attention and specific international engagement.

The first is Ethiopia, which is set to hold elections in May. In his testimony, the Director of National Intelligence stated:

> In Ethiopia, Prime Minister Meles and his party appear intent on preventing a repeat of the relatively open 2005 election which produced a strong opposition showing.

Indeed, in Ethiopia, democratic space has been diminishing steadily since 2005. Over the last 2 years, the Ethiopian Parliament has passed several new laws granting broad discretionary powers to the government to arrest opponents. One such law, the Charities and Societies Proclamation, imposes direct government controls over civil society and bars any civil society group receiving more than 10 percent of its funding from international sources to do work related to human rights, gender equality, the rights, of the disabled, children's rights, or conflict resolution. Another law, the Anti-Terrorism Proclamation, defines terrorism-related crimes so broadly that they could extend to nonviolent forms of political dissent and protest.

Ethiopia is an important partner of the United States and we share many interests. We currently provide hundreds of millions of dollars in aid annually to Ethiopia. That is why I have been so concerned and outspoken about these repressive measures, and that is why I believe we have a stake in ensuring that Ethiopia's democratic process moves forward, not backward. With the elections just 3 months away, several key opposition leaders remain imprisoned, most notably Birtukan Mideksa, the head of the Unity for Democracy and Justice Party. There is no way that elections can be fair, let alone credible, with opposition leaders in jail or unable to campaign freely. At the bare minimum, the international community should push for the release of these political prisoners ahead of the elections. If nothing changes, we should not be afraid to stand with the Ethiopian people and state clearly that an election in name only is an affront to their country's democratic aspirations.

The second country I want to highlight is Burundi. As many people will recall, Burundi was devastated by political violence throughout the 1990s, leaving over 100,000 people dead. Yet the country has made tremendous strides in recent years to recover and rebuild from its civil war. In 2005, it held multiparty national and local elections, a major milestone on its transition to peace. Burundians are set to head to the polls again this year. If these elections are fair, free, and peaceful, they have the potential to be another milestone along the path toward reconciliation, lasting stability, and democratic institutions. This would be good not only for Burundi but also for the whole of Central Africa. Burundians deserve international support and encouragement as they strive for that goal.

Still, many challenges remain. The tensions that fed and were fueled by Burundi's civil war have not entirely gone away. And there is some evidence that the parties continue to use the tools of war to pursue their political goals. According to a report by the International Crisis Group last month, ''opposition parties are facing harassment and intimidation from police and the ruling party's youth wing and appear to be choosing to respond to violence with violence.'' Furthermore, there continue to be reports that the National Intelligence Service is being used by the ruling party to destabilize the opposition. If these trends continue, they could taint Burundi's elections and set back its peace process. The international community, which has played a big role in Burundi's peace process, cannot wait until a month before the election to speak out and engage the parties these issues. We need to do it now.

Burundi's neighbor to the north, Rwanda, is also slated to hold important elections this summer. Rwanda is another country that has come a long way. Since the genocide in 1994, the government and people of Rwanda have made impressive accomplishments in rebuilding the country and improving basic services. It is notable that Rwanda was the top reformer worldwide in the 2010 World Bank's ''Doing Business Report.'' President Kagame has shown commendable and creative leadership in this respect. On the democratic front, however, Rwanda still has a long way to go.

Understandably there are real challenges to fostering democracy some 15 years after the genocide, but it is troubling that there is not more space within Rwanda for criticism and opposition voices. The State Department's 2008 Human Rights Report for Rwanda stated, ''There continued to be limits on freedom of speech and of association, and restrictions on the press increased.'' With elections looming, there are now some reports that opposition party members in Rwanda are facing increasing threats and harassment. The international community should not shy away from pushing for greater democratic space in Rwanda, which is critical for the country's lasting stability. We fail to be true friends to the Rwandan people if we do not stand with them in the fight against renewed abuse of civil and political rights. In the next few months in the runup to the elections, it is a key time for international donors to raise these issues with Kigali.

Finally, I would like to talk about Uganda, which is set to hold elections in February 2011. Uganda, like Rwanda, is a close friend of the United States, and we have worked together on many joint initiatives over recent years. President Museveni deserves credit for his leadership on many issues both within the country and the wider region. However, at the same time, Museveni's legacy has been tainted by his failure to allow democracy to take hold in Uganda. Uganda's most recent elections have been hurt by reports of fraud, intimidation, and politically motivated prosecutions of opposition candidates. The Director of National Intelligence stated in his testimony that Uganda remains essentially a ''one-party state'' and said the government ''is not undertaking democratic reforms in advance of the elections scheduled for 2011.''

Uganda's elections next year could be a defining moment for the country and will have ramifications for the country's long-term stability. The riots in Buganda last September showed that regional and ethnic tensions remain strong in many parts of the country. Therefore, it is important that the United States and other friends of Uganda work with that country's leaders to ensure critical electoral reforms are enacted. In the consolidated appropriations act that passed in December, Congress provided significant assistance for Uganda but also specifically directed the Secretary of State ''to closely monitor preparations for the 2011 elections in Uganda and to actively promote . . . the independence of the election commission; the need for an accurate and verifiable voter registry; the announcement and posting of results at the polling stations; the freedom of movement and assembly and a process free of intimidation; freedom of the media; and the security and protection of candidates.''

Madam President, again these challenges are not unique to Africa. Here in the United States, we too have to work constantly to ensure the integrity of our elections and our democratic processes. But I believe these upcoming elections in a number of African states could have major ramifications for the overall trajectory of democracy on the continent as well as for issues of regional security. I also believe several of these elections could significantly impact U.S. policy and strategic partnerships on the continent. For that reason, I do not believe we can wait until weeks or days before these elections to start focusing on them. We need to start engaging well in advance and helping to pave the way for truly democratic institutions and the consolidation of democracy. This includes aligning with democratic actors that speak out against repressive measures that erode political and civil rights. The Obama administration has done this well in some cases, but we need to do it more consistently and effectively. In the coming months, I hope to work with the administration to ensure we have a clear policy and the resources to that end.

HUMAN RIGHTS

Mr. FEINGOLD. Madam President, although I know the Obama administration strongly supports human rights and adherence to the rule of law around the world, I have been struck by several very public examples where this important issue has gotten short

shrift—most notably in senior State Department meetings with foreign governments. Perhaps the starkest example was the Secretary of State's visit to China last year, where she said that U.S. efforts to advance human rights ''can't interfere on the global economic crisis, the global climate change crisis and the security crisis.''

Since joining Congress in 1993, I have emphasized that human rights must be at the center of our foreign policy. The Obama administration shares this view, but I remain troubled that in certain instances human rights continue to take a back seat to other competing concerns deemed more pressing. As we seek to address the many crises we face both at home and around the world, we cannot afford to miss—or avoid—opportunities to raise human rights concerns. I do not believe quiet tradeoffs are necessary or consistent with the principles for which the United States stands. Moreover, whatever the perceived short-term benefit of remaining quiet when human rights are being undermined, there is often a long-term cost to us. Our commitment to and enforcement of international human rights standards is part of our strength—when they are called into question, our own national security is undermined.

Human rights, good governance and the rule of law are important not only in their own right, but also for the positive contributions they can provide to our efforts on counterterrorism, stability, and development. As we continue the fight against al-Qaeda and its affiliates, a robust human rights agenda that is deeply intertwined with our broader national security goals will help us achieve our counterterrorism objectives. At the same time, our counterterrorism policies and those of our partners must respect basic, fundamental rights in order to be truly effective.

Developing a coherent and effective foreign policy that successfully incorporates trade, security, and human rights concerns is no easy task. But we cannot further perpetuate the current imbalance by remaining silent on critical human rights concerns. Silence speaks volumes and gives a free pass to those who commit such abuses, as well as those who might commit them in the future. We must voice our concerns loudly and consistently as we seek to build global partnerships rooted in policies that incorporate good governance, the rule of law, and human rights alongside our economic and security priorities. By downplaying the former in order to focus on the latter, the administration risks weakening a key pillar of American strength.

RECOGNIZING THE LEAGUE OF WOMEN VOTERS

Ms. MIKULSKI. Madam President, today I wish to commend and congratulate the League of Women Voters, in honor of the league's 90th anniversary. This nonpartisan political organization encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

The League of Women Voters was founded by Carrie Chapman Catt in 1920—just 6 months before the 19th amendment to the U.S. Constitution was ratified, giving women the right to vote after a 72-year struggle. It was designed to help 20 million women carry out their new responsibilities as voters. It encouraged them to use their new power to participate in shaping public policy. Today, there are 900 State and local Leagues in all 50 States.

While the league neither supports nor opposes candidates for office at any level of government, it works to influence policy through advocacy on issues such as voting rights, health care reform, global climate change, and election administration. This grassroots citizen network is directed by the consensus of its members nationwide.

In honoring the league, we commemorate the past achievements of women and highlight the successes of women today. From the suffragists who founded the league 90 years ago to the incredible women who work today to improve our communities and our country as elected officials and as volunteers, the league's women are making a profound and lasting civic impact. I wish the League of Women Voters continued success as they bring more women into the political arena as candidates, informed voters and advocates.

RECOGNIZING VIRIGINIA TASK FORCES ONE AND TWO

Mr. WARNER. Madam President, I rise today to commend the efforts of Virginia Task Forces One and Two on their recent deployment to Haiti. Their combined efforts in the immediate aftermath of the devastating earthquake resulted in the successful rescue of 19 men, women, and children.

These teams are made up of over 150 firefighters, physicians, and structural engineers from Fairfax and Virginia Beach, VA.

Both teams were manned and ready within 24 hours of the call for help. That included preparing and staging over 100 tons of cargo and gear for airlift to Haiti.

One of the rescues involved Jens Christensen, a United Nations worker from Denmark who was trapped in the United Nations compound. The teams worked for over 8 hours to free him, and kept him alive by inserting a feeding tube through the rubble to provide him water during the rescue.

Acting on a tip from local residents, the team also rescued two children, ''Kiki and Sabrina,'' almost a full week after the earthquake. These two Haitian girls were still alive in a building no one had previously searched.

Another woman was rescued from the rubble of a collapsed market, and the team was able to provide paramedics and physicians to treat her on site and stabilize the woman for transport to a local hospital.

These teams leveraged their countless hours of training to hit the ground running at full speed. They have extensive international and domestic disaster response experience, and are recognized throughout the United States and the world as leaders in readiness, response and recovery techniques.

This is an important capability—and just yesterday I understand the teams were put on ready alert to potentially deploy again, this time to Chile to help with search and rescue efforts.

Please join me in commending the heroic and humanitarian efforts of Virginia Task Force One and Virginia Task Force Two.

I offer sincere thanks to all the team members, support personnel, and the families of these brave men and women.

ADDITIONAL STATEMENTS

TRIBUTE TO MARY SCOTT

• Mr. CARPER. Madam President, today I wish to recognize Mrs. Mary Scott, former Smyrna School District superintendent, whom I have been privileged to know for the past two decades. A role model of integrity, Mrs. Scott served the Smyrna School District in a series of roles of increasing responsibility from 1965 until July 1998, when she retired as the district's superintendent.

Born and in Wilmington, DE, Mrs. Scott attended public school until she was 10. When her family moved to Smyrna, a town some 40 miles south of Wilmington, she attended a two-room school there that housed grades 1 through 8 before attending the Booker T. Washington Elementary School in Dover for grades 9 and 10. Mary Scott graduated from the laboratory high school for students in grades 11 and 12 that was located on the campus of Delaware State College, now Delaware State University. Four years later, Mrs. Scott graduated from Delaware State College with a bachelor of arts degree in English and a minor in biology, after which she went on to receive her masters of arts degree in psychology from Washington College in Chestertown, MD.

The first minority educator to join faculty of the Smyrna District, Mrs. Scott began her career as an English teacher at Smyrna High School, the home of the Eagles. Later, she served the district as assistant to the president and as human relations counselor at the high school until 1978 when she became director of the Title 1 Program and supervisor of the Early Childhood Education Center, serving in that capacity until 1985. Next, she was appointed principal of North Elementary School and held that position until her promotion to the district's supervisor

of education in 1988. Finally, from 1991 to 1994, Mary Scott served as the district's assistant superintendent until her appointment as the superintendent of schools in the Smyrna District in October of 1994. She was the first African-American to serve in that role in that district.

The Smyrna School District has served the towns of Smyrna and Clayton in Kent County for more than 125 years and currently includes more than 4,800 students in central Delaware.

The core values of the district include compassion, perseverance, respect, responsibility, and integrity. At the recent ''I Love Smyrna School District Day,'' Mrs. Scott was honored as a role model of integrity. The Smyrna District community committee defines integrity as ''being honest, fair, good, and trustworthy.'' Mary Scott is the epitome of all of these things and more. A person of deep faith, Mary believes in giving back to her community, her church, and her State and has been recognized for her service to education by numerous educational, civic, and religious organizations. On top of all this, Mrs. Scott has been married to William L. Scott, a retired probation and parole officer, for 56 years. They are parents to 3 children, Sheldon, Jeffrey, and Rachel, grandparents to five, and great-grandparents to two.

Through her tireless efforts over a third of a century, Mary Scott has made a profound difference in the lives of thousands of students in the Smyrna District—many of whom remain dedicated and committed alumni of the district. Mrs. Scott leaves a legacy of commitment to public service for her children, grandchildren, students, and for the rest of us to follow. On behalf of all who have benefited from her tireless and enlightened leadership, I thank her for her commitment to educating every child and for the inspiration she provides through a lifetime of caring.

On behalf of all Delawareans, I congratulate her on being honored for her service and extend to her my very best wishes for every success in the future.●

REMEMBERING DR. DON C. GARRISON

● Mr. GRAHAM. Madam President, I would like to pay tribute to the life of Dr. Don C. Garrison of Easley, SC. On February 27, 2010, South Carolina lost a true visionary and leader who dedicated almost half of his life to improving higher education.

For more than three decades, Dr. Garrison devoted himself to nurturing and developing Tri-County Technical College, one of the largest community and technical colleges in South Carolina. In 1971, Dr. Garrison took over as president of Tri-County, which at the time was a rural technical school. During his tenure as president, Dr. Garrison expanded this institution to become one of the State's largest community colleges, providing degrees, diplomas, and certificate programs in a variety of subject areas.

Under his tutelage, Tri-County has become an exemplary 2-year technical institution that educates students across Pickens, Anderson and Oconee Counties. Dr. Garrison worked tirelessly to improve the lives of many South Carolinians and used his unique position to advocate for technical education.

Dr. Garrison was one of the early pioneers of technical schools in South Carolina, which quickly transformed South Carolina's economy. South Carolina's technical schools have always been some of the highest performing schools in the nation, much to do with the leadership of Dr. Garrison. He was an optimist by nature, who always tried to find a way forward, no matter how difficult the problem. The people of South Carolina were well served by his leadership and vision.

Dr. Garrison will be remembered as a passionate educator, a steadfast advocate of education, and for the tremendous contributions he has made to countless members of our community. His legacy will be carried on by the many lives that he influenced. I truly admire his dedication to his students and to the State of South Carolina.

In his final commencement speech, Dr. Garrison told the graduating class, ''The key to success in life is attaching yourself to a cause that is greater than yourself.'' Dr. Garrison was a shining example of this very statement. I was truly saddened to hear of the passing of Dr. Don Garrison and I want to take this opportunity to send my condolences to his wife Carol, his family, and friends. I also want to express my sincere appreciation for his long service to the State of South Carolina.●

TRIBUTE TO SANDI SANDERS

● Mrs. LINCOLN. Madam President, today I recognize Sandi Sanders of Fort Smith, AR, for her leadership on the U.S. Marshals Service National Museum to be located in Fort Smith. Because of her efforts, Sandi will be honored during a ''Salute to Sandi'' event hosted by the museum later this month.

In January 2007, Fort Smith was given a highly sought after opportunity: designation as the site for a national museum, the U.S. Marshals Museum. As the oldest Federal law enforcement agency in the Nation, the U.S. Marshals Service reflects the history of the United States. Throughout their 219-year history, U.S. marshals and deputy marshals have been involved in many of the Nation's most historic events. Within the history of the Service are powerful stories that touch and inspire all people.

Sandi's involvement with the museum dates back to 2007, when she was named director. She has worked tirelessly to create a museum that will educate all visitors about the history, values, and dedicated individuals of the U.S. Marshals Service. Although she no longer serves as director, Sandi has remained an integral part of the Nation's U.S. Marshals Museum.

Madam President, I salute Sandi and all of the residents of Fort Smith for their dedication and commitment to this project. The entire community of Fort Smith should be proud of its efforts to bring the U.S. Marshals Museum home where it belongs.●

TRIBUTE TO COLONEL ROBERT L. HOWARD

● Mr. SESSIONS. Madam President, today I pay tribute to COL Robert L. Howard. Colonel Howard grew up in Opelika, AL, and enlisted in the U.S. Army in 1956 at age 17. He retired as a full Colonel in 1992 after 36 years service. After retiring, Howard worked for the Department of Veterans Affairs. During Vietnam, he served in the U.S. Army Special Forces, Green Berets, and spent most of his five tours in the secret Military Assistance Command Vietnam Studies and Observations Group, also known as Special Operations Group, which ran classified cross-border operations into Laos, Cambodia, and North Vietnam.

These men carried out some of the most daring and dangerous missions ever conducted by the U.S. military. The understrength 60-man recon company at Kontum in which he served was the Vietnam war's most highly decorated unit of its size with five Medals of Honor. It was for his actions while serving on a mission to rescue a fellow soldier in Cambodia that he was submitted for the third time for the Medal of Honor for his extraordinary heroism. Colonel Howard was a sergeant first class in the Army's Special Forces on Dec. 30, 1968, when he rallied a badly shot-up platoon against an estimated 250 enemy troops. Despite being unable to walk because of injuries, he coordinated a counterattack while aiding the wounded and was the last man to board a helicopter, according to military records.

He served five tours in Vietnam and is the only soldier in our Nation's history to be nominated for the Congressional Medal of Honor three times for three separate actions within a 13-month period. He received a direct appointment from master sergeant to first lieutenant in 1969 and was awarded the Medal of Honor by President Richard M. Nixon at the White House in 1971. His other awards for valor include two awards of the Distinguished Service Cross, the Silver Star, the Defense Superior Service Medal, four awards of the Legion of Merit, four Bronze Star Medals and eight Purple Hearts. He was wounded 14 times while serving in Vietnam.

Colonel Howard, 70, died at a hospice in Waco, where he had been for about 3 weeks, suffering from pancreatic cancer. He was buried in Arlington on February 22, 2010. Colonel Howard is survived by his son, Army SGT Robert

Howard, Jr., and daughters Melissa Gentsch, Rosslyn Howard, and Denicia Howard; and four grandchildren. I was also pleased to meet his brother Steve Howard, 6 years younger, who also volunteered at age 17. In an annual event, Steve was able to serve with his brother on one of his tours in Vietnam. It was wonderfully clear to one how much affection and respect Steve had for his big brother.

So, Madam President, it is my honor to pay tribute to this great Alabamian and, most of all, this great American. He, like so many today, went into harm's way, a courageous patriot, to effect the decided military positions of the United States. It is on the actions of such men that our liberty and prosperity depend. I am humbled to have the opportunity to express my appreciation for Colonel Howard's heroic and superb service to this country.●

RECOGNIZING GRANT COUNTY, OREGON

● Mr. WYDEN. Madam President, I would like to take a moment to praise the courage and commitment of a small community in Oregon.

Grant County is home to just 7,500 people. It is located in rural eastern Oregon. The county is larger than some States. With majestic mountains, rivers, and valleys, its beauty is unprecedented. Those who live there are proud of their home. They work hard and they watch out for each other. Last month, they proved it in a way that should make everyone proud to be an American.

A few weeks ago, a man came to town calling himself the national director of the Aryan Nations, one of the most infamous hate groups in America. He declared that he was looking for a place for a national headquarters and that Grant County would be perfect. Amazingly, he said the values of his organization and the values of Grant County were the same.

He couldn't have been more wrong.

Since the local newspaper, the Blue Mountain Eagle, reported on his visit, Grant County has risen as one to show this man that there is no way that their home is going to be the headquarters for hate.

To express their outrage, the residents of Grant County stood on street corners in the city of John Day waving flags and holding signs making it clear that the Aryan Nations was not welcome. The people of Grant County stood together in supporting diversity and tolerance in their community. All over the county, green ribbons symbolizing their support for equality streamed from car antennas, hung from fences, and pinned proudly to their clothes. Signs are in businesses and homes. Cars are emblazoned with messages of support for their community and opposition to hatred.

More than 1,000 people jammed into two public meetings held on February 26. They were there to learn how to make sure the Aryan Nations would not succeed. There were so many that the meeting room couldn't hold them all. You know there is something special going on when one out of every six residents of a small rural county comes, to learn how to protect their community from a group who would destroy it. Since then, the Grant County Human Rights Coalition has been formed. It is a remarkable group of people, all working to make their home a better place.

The people of Grant County have shown us all what a community looks like. As an Oregonian and as their U.S. Senator, I could not be more proud of them.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 8:11 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. 1299. An act to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. REID).

ENROLLED BILL SIGNED

At 9:30 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. 4691. An act to provide a temporary extension of certain programs, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. REID).

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–4826. A communication from the Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Registration, Five Year Terms'' (RIN0580–AB03) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4827. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Food Stamp Program: Eligibility and Certification Provisions of the Farm Security and Rural Investment Act of 2002'' (RIN0584–AD30) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4828. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Technical Service Provider Assistance'' ((7 CFR Part 652) (RIN0578–AA48)) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4829. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Healthy Forests Reserve Program'' ((7 CFR Part 652) (RIN0578–AA52)) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4830. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Compliance with the National Environmental Policy Act'' ((7 CFR Part 650) (RIN0578–AA55)) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4831. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Agricultural Management Assistance Program'' ((7 CFR Part 1465) (RIN0578–AA50)) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4832. 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 ''Trichoderma asperellum strain ICC 012; Exemption from the Requirement of a Tolerance'' (FRL No. 8800–9) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4833. 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 ''1,2,3-Propanetriol, Homopolymer Diisooctadecanoate; Exemption from the Requirement of a Tolerance'' (FRL No. 8813–8) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4834. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the assignment of women to submarines; to the Committee on Armed Services.

EC–4835. A communication from the Chairman and President of the Export-Import

Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–4836. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC–4837. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to the Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–4838. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Money Market Fund Reform'' (RIN3235–AK33) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4839. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Rules Requiring Internet Availability of Proxy Materials'' (RIN3235–AK25) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4840. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to License Exception GOV to Provide Authorization for Exports and Reexports of Commodities for Use on the International Space Station (ISS)'' (RIN0694–AE52) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4841. A communication from the Secretary, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to an order granting rehearing for further consideration; to the Committee on Energy and Natural Resources.

EC–4842. A communication from the Acting Director of Human Resources, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, (3) three reports relative to vacancies in the Environmental Protection Agency, received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC–4843. 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 ''Regulation of Fuels and Fuel Additives: Federal Volatility Control Program in the Denver-Boulder-Greeley-Ft. Collins-Loveland, Colorado, 1997 8-Hour Ozone Nonattainment Area'' (FRL No. 9119–3) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC–4844. 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 ''Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category; Correction'' (FRL No. 9118–7) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC–4845. 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 Operating Permits Program; State of Iowa'' (FRL No. 9120–2) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC–4846. 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 Implementation Plans; Ohio New Source Review Rules'' (FRL No. 9107–4) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC–4847. 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; Illinois; NOx Budget Trading Program'' (FRL No. 9116–8) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC–4848. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Control of Muscovy Ducks, Revisions to the Waterfowl Permit Exceptions and Waterfowl Sale and Disposal Permits Regulations'' (RIN1018–AV34) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC–4849. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''General Provisions; Revised List of Migratory Birds'' (RIN1018–AB72) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC–4850. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Control of Purple Swamphens'' (RIN1018–AV33) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC–4851. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; States Delegated Falconry Permitting Authority'' (RIN1018–AW98) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC–4852. 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 ''2010 Automobile Inflation Adjustments'' (Rev. Proc. 2010–18) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC–4853. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Study and Report Relating to Medicare Advantage Organizations as Required by Section 4101(d) of the American Recovery and Reinvestment Act of 2009''; to the Committee on Finance.

EC–4854. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC–4855. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010–0029–2010–0032); to the Committee on Foreign Relations.

EC–4856. A communication from the Coordinator of U.S. Assistance to Europe and Eurasia, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report on U.S. Government Assistance to and Cooperative Activities with Central and Eastern Europe; to the Committee on Foreign Relations.

EC–4857. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Claims for Compensation; Death Gratuity Under the Federal Employees' Compensation Act'' (RIN1215–AB66) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–4858. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Astaxanthin Dimethyldisuccinate; Confirmation of Effective Date'' (Docket No. FDA–2007–C–0044) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–4859. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–294, ''Arthur Capper/Carrollsburg Public Improvements Revenue Bonds Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–4860. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, an annual report relative to the Board's compliance with the Sunshine Act during calendar year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–4861. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Food Distribution Program on Indian Reservations: Resource Limits and Exclusions, and Extended Certification Periods'' (RIN0584–AD12) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Indian Affairs.

EC–4862. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Temporary Agricultural Employment of H–2A Aliens in the United States'' (RIN1205–AB55) received in the Office of the President of the Senate on February 25, 2010; to the Committee on the Judiciary.

EC–4863. A communication from the Deputy Assistant Administrator of Diversion

Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Registration Requirements for Importers and Manufacturers of Prescription Drug Products Containing Ephedrine, Pseudoephedrine, or Phenylpropanolamine'' (Docket Number DEA–294F) received in the Office of the President of the Senate on February 24, 2010; to the Committee on the Judiciary.

EC–4864. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Crustacean Fisheries; 2010 Northwestern Hawaiian Islands Lobster Harvest Guideline'' (RIN0648–XT33) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4865. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XT96) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4866. A communication from the Director, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Foreign Trade Regulations (FTR): Eliminate the Social Security Number (SSN) as an Identification Number in the Automated Export System (AES)'' (RIN0607–AA48) received in the Office of the President of the Senate on February 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4867. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Children's Products Containing Lead; Exemptions for Certain Electronic Devices'' (16 CFR Part 1500) received in the Office of the President of the Senate on February 23, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 409. A bill to secure Federal ownership and management of significant natural, scenic, and recreational resources, to provide for the protection of cultural resources, to facilitate the efficient extraction of mineral resources by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes (Rept. No. 111–129).

S. 522. A bill to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act (Rept. No. 111–130).

S. 555. A bill to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes (Rept. No. 111–131).

S. 721. A bill to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes (Rept. No. 111–132).

S. 782. A bill to provide for the establishment of the National Volcano Early Warning and Monitoring System (Rept. No. 111–133).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 853. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System (Rept. No. 111–134).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 874. A bill to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico, and for other purposes (Rept. No. 111–135).

S. 940. A bill to direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye counties, Nevada, and for other purposes (Rept. No. 111–136).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1053. A bill to amend the National Law Enforcement Museum Act to extend the termination date (Rept. No. 111–137).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1139. A bill to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes (Rept. No. 111–138).

S. 1140. A bill to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon (Rept. No. 111–139).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 1369. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes (Rept. No. 111–140).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1405. A bill to redesignate the Longfellow National Historic Site, Massachusetts, as the ''Longfellow House-Washington's Headquarters National Historic Site'' (Rept. No. 111–141).

S. 1453. A bill to amend Public Law 106–392 to maintain annual base funding for the Bureau of Reclamation for the Upper Colorado River and San Juan fish recovery programs through fiscal year 2023 (Rept. No. 111–142).

S. 1757. A bill to provide for the prepayment of a repayment contract between the United States and the Uintah Water Conservancy District, and for other purposes (Rept. No. 111–143).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1759. A bill to authorize certain transfers of water in the Central Valley Project, and for other purposes (Rept. No. 111–144).

H.R. 689. A bill to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes (Rept. No. 111–145).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

H.R. 714. A bill to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes (Rept. No. 111–146).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1121. A bill to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes (Rept. No. 111–147).

H.R. 1287. A bill to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes (Rept. No. 111–148).

H.R. 1376. To establish the Waco Mammoth National Monument in the State of Texas, and for other purposes (Rept. No. 111–149).

H.R. 1442. A bill to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909 (Rept. No. 111–150).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

H.R. 1593. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System (Rept. No. 111–151).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

H.R. 1694. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program (Rept. No. 111–152).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1945. A bill to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, and for other purposes (Rept. No. 111–153).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 2330. A bill to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System (Rept. No. 111–154).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 2802. A bill to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes (Rept. No. 111–155).

H.R. 3113. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes (Rept. No. 111–156).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself, Ms. CANTWELL, Ms. MIKULSKI, Mr. CARDIN, Mr. DODD, and Mr. MERKLEY):

S. 3056. A bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation and importation of natural gas; to the Committee on Energy and Natural Resources.

By Mrs. BOXER:

S. 3057. A bill to provide to the Secretary of Interior a mechanism to cancel contracts for the sale of materials CA–20139 and CA–22901, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DORGAN (for himself, Ms. COLLINS, Mr. BAUCUS, Mr. INOUYE, Mrs. LINCOLN, Mr. HATCH, Ms. STABENOW, Mr. SCHUMER, Mr. DURBIN, Mr. BUNNING, Mr. COCHRAN, Mr. CRAPO, Mr. GRASSLEY, Mr. JOHANNS, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. WARNER, Mr. BARRASSO, and Mr. BINGAMAN):

S. 3058. 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 Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Ms. MURKOWSKI, and Mr. MENENDEZ):

S. 3059. A bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL:

S. Res. 429. A resolution making minority party appointments for certain committees for the 111th Congress; considered and agreed to.

By Mr. CHAMBLISS:

S. Con. Res. 52. A concurrent resolution expressing support for the designation of March 20 as a National Day of Recognition for Long-Term Care Physicians; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 557

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 704

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 704, a bill to direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1111

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1111, a bill to require the Secretary of Health and Human Services to enter into agreements with States to resolve outstanding claims for reimbursement under the Medicare program relating to the Special Disability Workload project.

S. 1222

At the request of Mrs. LINCOLN, the name of the Senator from Maine (Ms. COLLINS) 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. 1255

At the request of Mr. SCHUMER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1255, a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes.

S. 1583

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mrs. LINCOLN) 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. 2805

At the request of Mr. SPECTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2805, a bill to amend the Food and Nutrition Act of 2008 to increase the amount made available to purchase commodities for the emergency food assistance program in fiscal year 2010.

S. 2858

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2858, a bill to amend the Public Health Service Act to establish an Office of Mitochondrial Disease at the National Institutes of Health, and for other purposes.

S. 2878

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2878, a bill to prevent gun trafficking in the United States.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2947

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 2979

At the request of Mr. LEAHY, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2979, a bill to amend title 18, United States Code, to provide accountability for the criminal acts of Federal contractors and employees outside the United States, and for other purposes.

S. 2994

At the request of Mrs. BOXER, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2994, a bill to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses, and for other purposes.

S. RES. 404

At the request of Mr. FEINGOLD, the names of the Senator from Illinois (Mr. BURRIS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 404, a resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

AMENDMENT NO. 3338

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 3338 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 3342

At the request of Mr. WEBB, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 3342 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Ms. CANTWELL, Ms. MIKULSKI, Mr. CARDIN, Mr. DODD, and Mr. MERKLEY):

S. 3056. A bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation and importation of natural gas; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, along with Senators CANTWELL, MIKULSKI, CARDIN, DODD, and MERKLEY, I am reintroducing legislation that will repeal the authority granted to the Federal Energy Regulatory Commission, FERC, in the Energy Policy Act of 2005 to site Liquified Natural Gas, LNG, terminals. Prior to enactment of these changes,

States, such as Oregon, had authority to site these large energy facilities—a right that was preempted by the 2005 act. At the time, 45 Senators went on record saying that cutting State siting agencies out of the LNG siting process was a bad idea.

As citizens and their public officials in my State and those of my colleagues can attest, putting FERC in the driver's seat for LNG siting has been a colossal mistake. Rather than address the critical environmental and economic questions of whether these large, potentially dangerous natural gas storage facilities are even needed or whether energy supplies could be provided with less environmental impact and risk, FERC has taken the attitude that it's not its job to make such decisions. The result is the worst of all possible public policy worlds where FERC refuses to address the tough questions and the law limits the ability of our States to step where FERC fails.

Right now, in Oregon, we have three separate LNG projects. Two of those have been approved by FERC over the objections of citizens and State officials and one is still pending. Together, they would have a combined capacity of 3.3 billion cubic feet, BCF, of gas per day. Yet, the States of Oregon and Washington, together, only use 1.33 BCF per day. Natural gas prices in North America have significantly declined and supplies have increased since these projects were proposed. Yet, FERC categorically refuses to address the basic question of whether the three proposed facilities are even needed to serve our market. FERC also refuses to consider whether any of the competing interstate pipeline proposals to bring natural gas to Oregon from the Rocky Mountains would be a better option. In fact, FERC asserts that it is not its job to determine which, if any, of these proposals best serves our market.

While the new chairman of FERC—Jon Wellinghoff—has been willing to vote against LNG siting proposals, the truth is that FERC continues to plow ahead with siting decisions that make no economic sense and which endanger forest lands, farms, vineyards, and residential neighborhoods. Given FERC's record, my colleagues and I believe that it is essential that Congress restore the local and State role in these critical decisions about where, and even whether, LNG facilities and the pipelines that connect them are to be built.

The legislative language is identical to the bill I introduced in the last Congress—S. 2822—and which garnered the support of a number of my colleagues including then-Senator Barack Obama. That bill was needed then, and it is needed now. I am going to be calling on the President for his help in fixing this serious mistake.

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. 3056

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

SECTION 1. EXPORTATION OR IMPORTATION OF NATURAL GAS.

(a) IN GENERAL.—Section 311 of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 685) is repealed.

(b) APPLICATION.—The Natural Gas Act (15 U.S.C. 717 et seq.) shall be applied and administered as if section 311 of the Energy Policy Act of 2005 (and the amendments made by the section) had not been enacted.

By Mrs. BOXER:

S. 3057. A bill to provide to the Secretary of the Interior a mechanism to cancel contracts for the sale of materials CA–20139 and CA–22901, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the Soledad Canyon High Desert, California Public Lands Conservation and Management Act of 2010. This bill would resolve a twenty-year-old mining dispute between the City of Santa Clarita and CEMEX USA, and have numerous other benefits for communities in Los Angeles and San Bernardino Counties, CA.

In 1990, the Bureau of Land Management awarded CEMEX two 10-year consecutive contracts to extract 56 million tons of sand and gravel from a site in Soledad Canyon. The City of Santa Clarita strongly opposed CEMEX's expansion of mining in this area. After 2 decades of conflict and nearly a decade of litigation, the two parties announced a truce in early 2007, and started working out an agreement.

This legislation would implement the terms of that agreement. It would require the Secretary of the Interior to cancel CEMEX's mining contracts in Soledad Canyon and prohibit future mining at this site. The BLM would sell lands near Victorville, CA, that are currently on its disposal list, and would use the proceeds to compensate CEMEX for the cancellation of its mining contracts. The City of Victorville and County of San Bernardino would have the right of first refusal to purchase many of these parcels, which would help satisfy their future development needs. Some of these funds would also go towards the purchase of environmentally-sensitive lands in Southern California.

My legislation would settle a twenty-year-old dispute to all parties' satisfaction, complement future development plans in Southern California, help secure important lands for conservation, and do all of this without any cost to taxpayers. That is why it has already won the support of a diverse group of interests, including the City of Santa Clarita, CEMEX, the Santa Monica Mountains Conservancy, and the Sierra Club.

I have worked with Representative BUCK MCKEON in introducing this measure and look forward to working with my colleagues in the Senate to secure its passage.

By Mr. BINGAMAN (for himself, Ms. MURKOWSKI, and Mr. MENENDEZ):

S. 3059. A bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I am pleased to join with the Ranking Member of the Committee on Energy and Natural Resources, LISA MURKOWSKI, in introducing the National Energy Efficiency Enhancement Act of 2010. This legislation would implement several agreements that have been negotiated between appliance manufacturers and energy efficiency advocates to increase national energy efficiency standards for a range of commercial products, strengthen our economy, create jobs, and reduce carbon dioxide emissions.

The major energy consuming products that would have standards established or enhanced by this legislation include furnaces, air conditioners, street lights, and external power supplies. The bill would also modify the Secretary of Energy's authority regarding administration of the program. For example, there would be changes to the criteria used by the Secretary when determining where to set a standard, so as to include consideration of the impact of a proposed standard on average energy prices and the impacts of smart grid technology. A more detailed description section-by-section summary of the bill is included at the end of these remarks.

Representatives from the energy efficiency community, such as the American Council for an Energy Efficient Economy, ACEEE, the Alliance to Save Energy, and the National Resources Defense Council, along with industry representatives from the National Electric Manufacturers Association, the Air Conditioning, Heating and Refrigeration Institute, and the Association of Home Appliance Manufacturers and others, have done a commendable job in working through very difficult and technical issues to develop this remarkable consensus legislation. Their successes were set forth in several agreements that have been included in this bill. It is a testament to what can be achieved for the nation when interests groups work together with a commitment to the common good.

The savings from these new standards, if enacted, are estimated at 258 trillion Btu in 2020, and 677 trillion Btu in 2030. In addition, greenhouse gas emissions are estimated to be reduced by 14.6 million metric tons of CO_2 in 2020, and 39 million metric tons in 2030. Other benefits of increased efficiency include consumer savings due to lower energy costs and new jobs created by the use of consumer savings for other purchases and investments.

This legislation demonstrates the continuing commitment of the Energy

Committee to build on the bipartisan bill it reported last June—the American Clean Energy Leadership Act of 2009, or ACELA. Title II of ACELA directs the Energy Department to establish new energy efficiency standards for portable lamps and commercial furnaces and would yield estimated energy savings in 2030 of 551 trillion Btu, and carbon dioxide emission reductions of 31.3 million metric tons. Combined, the savings from these two bills would be 1228 trillion Btu and 70 million metric tons in 2030. Note: all estimates by the American Council for an Energy Efficient Economy.

The energy efficiency provisions of ACELA when combined with this new legislation would substantially enhance one of the most powerful and cost-effective tools the Federal Government has to strengthen our economic and energy security.

The appliance standards program has been saving energy and money for families, businesses, and government consumers for more than 20 years. DOE currently administers standards for 35 products, and the American Council for an Energy Efficient Economy estimates cumulative program savings of 5.1 Quadrillion Btu through 2010. The ACEEE projects another 3 Quadrillion Btu of savings from current standards by 2020.

This program's savings in electricity are the most significant, with an estimated reduction of nearly 16 percent in national electricity use by 2020 below what would have been used without the program.

Greater energy efficiency strengthens our economy, enhances our security, saves consumers money, creates jobs, and reduces greenhouse gas pollution. No single program or policy is going to completely end our nation's waste of energy or its carbon emissions, but increased energy efficiency through cost-effective energy standards for appliances and consumer products remains the single most-powerful tools for meeting these goals.

I look forward to working with my colleagues in the Energy Committee, in the Congress, and in the Administration to enact the National Energy Efficiency Enhancement Act of 2010. It would be a major enhancement to the energy savings anticipated from ACELA—more than doubling the savings—and both bills should be a part of any comprehensive national energy legislation.

Mr. President, I ask unanimous consent that the text of the bill and a bill summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 3059

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 ''National Energy Efficiency Enhancement Act of 2010''.

SEC. 2. ENERGY CONSERVATION STANDARDS.

(a) DEFINITION OF ENERGY CONSERVATION STANDARD.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended—

(1) by striking paragraph (6) and inserting the following:

''(6) ENERGY CONSERVATION STANDARD.—

''(A) IN GENERAL.—The term 'energy conservation standard' means 1 or more performance standards that—

''(i) for covered products (excluding clothes washers, dishwashers, showerheads, faucets, water closets, and urinals), prescribe a minimum level of energy efficiency or a maximum quantity of energy use, determined in accordance with test procedures prescribed under section 323;

''(ii) for showerheads, faucets, water closets, and urinals, prescribe a minimum level of water efficiency or a maximum quantity of water use, determined in accordance with test procedures prescribed under section 323; and

''(iii) for clothes washers and dishwashers—

''(I) prescribe a minimum level of energy efficiency or a maximum quantity of energy use, determined in accordance with test procedures prescribed under section 323; and

''(II) may include a minimum level of water efficiency or a maximum quantity of water use, determined in accordance with those test procedures.

''(B) INCLUSIONS.—The term 'energy conservation standard' includes—

''(i) 1 or more design requirements, if the requirements were established—

''(I) on or before the date of enactment of this subclause;

''(II) as part of a direct final rule under section 325(p)(4); or

''(III) as part of a final rule pub1lished on or after January 1, 2012; and

''(ii) any other requirements that the Secretary may prescribe under section 325(r).

''(C) EXCLUSION.—The term 'energy conservation standard' does not include a performance standard for a component of a finished covered product, unless regulation of the component is specifically authorized or established pursuant to this title.''; and

(2) by adding at the end the following:

''(66) EER.—The term 'EER' means energy efficiency ratio.

''(67) HSPF.—The term 'HSPF' means heating seasonal performance factor.''.

(b) EER AND HSPF TEST PROCEDURES.—Section 323(b) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)) is amended by adding at the end the following:

''(19) EER AND HSPF TEST PROCEDURES.—

''(A) IN GENERAL.—Subject to subparagraph (B), for purposes of residential central air conditioner and heat pump standards that take effect on or before January 1, 2015—

''(i) the EER shall be tested at an outdoor test temperature of 95 degrees Fahrenheit; and

''(ii) the HSPF shall be calculated based on Region IV conditions.

''(B) REVISIONS.—The Secretary may revise the EER outdoor test temperature and the conditions for HSPF calculations as part of any rulemaking to revise the central air conditioner and heat pump test method.''.

(c) CENTRAL AIR CONDITIONERS AND HEAT PUMPS.—Section 325(d) of the Energy Policy and Conservation Act (42 U.S.C. 6295(d)) is amended by adding at the end the following:

''(4) CENTRAL AIR CONDITIONERS AND HEAT PUMPS (EXCEPT THROUGH-THE-WALL CENTRAL AIR CONDITIONERS, THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMPS, AND SMALL DUCT, HIGH VELOCITY SYSTEMS) MANUFACTURED ON OR AFTER JANUARY 1, 2015.—

''(A) BASE NATIONAL STANDARDS.—

''(i) SEASONAL ENERGY EFFICIENCY RATIO.—The seasonal energy efficiency ratio of central air conditioners and central air conditioning heat pumps manufactured on or after January 1, 2015, shall not be less than the following:

''(I) Split Systems: 13 for central air conditioners and 14 for heat pumps.

''(II) Single Package Systems: 14.

''(ii) HEATING SEASONAL PERFORMANCE FACTOR.—The heating seasonal performance factor of central air conditioning heat pumps manufactured on or after January 1, 2015, shall not be less than the following:

''(I) Split Systems: 8.2.

''(II) Single Package Systems: 8.0.

''(B) REGIONAL STANDARDS.—

''(i) SEASONAL ENERGY EFFICIENCY RATIO.—The seasonal energy efficiency ratio of central air conditioners and central air conditioning heat pumps manufactured on or after January 1, 2015, and installed in States having historical average annual, population weighted, heating degree days less than 5,000 (specifically the States of Alabama, Arizona, Arkansas, California, Delaware, Florida, Georgia, Hawaii, Kentucky, Louisiana, Maryland, Mississippi, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia) or in the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States shall not be less than the following:

''(I) Split Systems: 14 for central air conditioners and 14 for heat pumps.

''(II) Single Package Systems: 14.

''(ii) ENERGY EFFICIENCY RATIO.—The energy efficiency ratio of central air conditioners (not including heat pumps) manufactured on or after January 1, 2015, and installed in the State of Arizona, California, New Mexico, or Nevada shall be not less than the following:

''(I) Split Systems: 12.2 for split systems having a rated cooling capacity less than 45,000 BTU per hour and 11.7 for products having a rated cooling capacity equal to or greater than 45,000 BTU per hour.

''(II) Single Package Systems: 11.0.

''(iii) APPLICATION OF SUBSECTION (O)(6).—Subsection (o)(6) shall apply to the regional standards set forth in this subparagraph.

''(C) AMENDMENT OF STANDARDS.—

''(i) IN GENERAL.—Not later than January 1, 2017, the Secretary shall publish a final rule to determine whether the standards in effect for central air conditioners and central air conditioning heat pumps should be amended.

''(ii) APPLICATION.—The rule shall provide that any amendments shall apply to products manufactured on or after January 1, 2022.

''(D) CONSIDERATION OF ADDITIONAL PERFORMANCE STANDARDS OR EFFICIENCY CRITERIA.—

''(i) FORUM.—Not later than 4 years in advance of the expected publication date of a final rule for central air conditioners and heat pumps under subparagraph (C), the Secretary shall convene and facilitate a forum for interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of the covered product, States, and efficiency advocates), as determined by the Secretary, to consider adding additional performance standards or efficiency criteria in the forthcoming rule.

''(ii) RECOMMENDATION.—If, within 1 year of the initial convening of such a forum, the Secretary receives a recommendation submitted jointly by such representative interested persons to add 1 or more performance standards or efficiency criteria, the Secretary shall incorporate the performance standards or efficiency criteria in the rulemaking process, and, if justified under the criteria established in this section, incorporate such performance standards or efficiency criteria in the revised standard.

''(iii) NO RECOMMENDATION.—If no such joint recommendation is made within 1 year of the initial convening of such a forum, the Secretary may add additional performance standards or efficiency criteria if the Secretary finds that the benefits substantially exceed the burdens of the action.

''(E) NEW CONSTRUCTION LEVELS.—

''(i) IN GENERAL.—As part of any final rule concerning central air conditioner and heat pump standards published after June 1, 2013, the Secretary shall determine if the building code levels specified in section 327(f)(3)(C) should be amended subject to meeting the criteria of subsection (o) when applied specifically to new construction.

''(ii) EFFECTIVE DATE.—Any amended levels shall not take effect before January 1, 2018.

''(iii) AMENDED LEVELS.—The final rule shall contain the amended levels, if any.''.

(d) THROUGH-THE-WALL CENTRAL AIR CONDITIONERS, THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMPS, AND SMALL DUCT, HIGH VELOCITY SYSTEMS.—Section 325(d) of the Energy Policy and Conservation Act (42 U.S.C. 6295(d)) (as amended by subsection (c)) is amended by adding at the end the following:

''(5) STANDARDS FOR THROUGH-THE-WALL CENTRAL AIR CONDITIONERS, THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMPS, AND SMALL DUCT, HIGH VELOCITY SYSTEMS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) SMALL DUCT, HIGH VELOCITY SYSTEM.—The term 'small duct, high velocity system' means a heating and cooling product that contains a blower and indoor coil combination that—

''(I) is designed for, and produces, at least 1.2 inches of external static pressure when operated at the certified air volume rate of 220–350 CFM per rated ton of cooling; and

''(II) when applied in the field, uses high velocity room outlets generally greater than 1,000 fpm that have less than 6.0 square inches of free area.

''(ii) THROUGH-THE-WALL CENTRAL AIR CONDITIONER; THROUGH-THE-WALL CENTRAL AIR CONDITIONING HEAT PUMP.—The terms 'through-the-wall central air conditioner' and 'through-the-wall central air conditioning heat pump' mean a central air conditioner or heat pump, respectively, that is designed to be installed totally or partially within a fixed-size opening in an exterior wall, and—

''(I) is not weatherized;

''(II) is clearly and permanently marked for installation only through an exterior wall;

''(III) has a rated cooling capacity no greater than 30,000 Btu/hr;

''(IV) exchanges all of its outdoor air across a single surface of the equipment cabinet; and

''(V) has a combined outdoor air exchange area of less than 800 square inches (split systems) or less than 1,210 square inches (single packaged systems) as measured on the surface area described in subclause (IV).

''(iii) REVISION.—The Secretary may revise the definitions contained in this subparagraph through publication of a final rule.

''(B) RULEMAKING.—

''(i) IN GENERAL.—Not later than June 30, 2011, the Secretary shall publish a final rule to determine whether standards for through-the-wall central air conditioners, through-the-wall central air conditioning heat pumps and small duct, high velocity systems should be established or amended.

''(ii) APPLICATION.—The rule shall provide that any new or amended standard shall apply to products manufactured on or after June 30, 2016.''.

(e) FURNACES.—Section 325(f) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)) is amended by adding at the end the following:

''(5) NON-WEATHERIZED FURNACES (INCLUDING MOBILE HOME FURNACES, BUT NOT INCLUDING BOILERS) MANUFACTURED ON OR AFTER MAY 1, 2013, AND WEATHERIZED FURNACES MANUFACTURED ON OR AFTER JANUARY 1, 2015.—

''(A) BASE NATIONAL STANDARDS.—

''(i) NON-WEATHERIZED FURNACES.—The annual fuel utilization efficiency of non-weatherized furnaces manufactured on or after May 1, 2013, shall be not less than the following:

''(I) Gas furnaces: 80 percent.

''(II) Oil furnaces: 83 percent.

''(ii) WEATHERIZED FURNACES.—The annual fuel utilization efficiency of weatherized gas furnaces manufactured on or after January 1, 2015 shall be not less than 81 percent.

''(B) REGIONAL STANDARD.—

''(i) ANNUAL FUEL UTILIZATION EFFICIENCY.—The annual fuel utilization efficiency of non-weatherized gas furnaces manufactured on or after May 1, 2013, and installed in States having historical average annual, population weighted, heating degree days equal to or greater than 5000 (specifically the States of Alaska, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming) shall be not less than 90 percent.

''(ii) APPLICATION OF SUBSECTION (O)(6).—Subsection (o)(6) shall apply to the regional standard set forth in this subparagraph.

''(C) AMENDMENT OF STANDARDS.—

''(i) NON-WEATHERIZED FURNACES.—

''(I) IN GENERAL.—Not later than January 1, 2014, the Secretary shall publish a final rule to determine whether the standards in effect for non-weatherized furnaces should be amended.

''(II) APPLICATION.—The rule shall provide that any amendments shall apply to products manufactured on or after January 1, 2019.

''(ii) WEATHERIZED FURNACES.—

''(I) IN GENERAL.—Not later than January 1, 2017, the Secretary shall publish a final rule to determine whether the standard in effect for weatherized furnaces should be amended.

''(II) APPLICATION.—The rule shall provide that any amendments shall apply to products manufactured on or after January 1, 2022.

''(D) NEW CONSTRUCTION LEVELS.—

''(i) IN GENERAL.—As part of any final rule concerning furnace standards published after June 1, 2013, the Secretary shall determine if the building code levels specified in section 327(f)(3)(C) should be amended subject to meeting the criteria of subsection (o) when applied specifically to new construction.

''(ii) EFFECTIVE DATE.—Any amended levels shall not take effect before January 1, 2018.

''(iii) AMENDED LEVELS.—The final rule shall contain the amended levels, if any.''.

(f) EXCEPTION FOR CERTAIN BUILDING CODE REQUIREMENTS.—Section 327(f) of the Energy Policy and Conservation Act (42 U.S.C. 6297(f)) is amended—

(1) in paragraph (3), by striking subparagraphs (B) through (F) and inserting the following:

''(B) The code does not contain a mandatory requirement that, under all code compliance paths, requires that the covered product have an energy efficiency exceeding 1 of the following levels:

''(i) The applicable energy conservation standard established in or prescribed under section 325.

''(ii) The level required by a regulation of the State for which the Secretary has issued a rule granting a waiver under subsection (d).

''(C) If the energy consumption or conservation objective in the code is determined using covered products, including any baseline building designs against which all submitted building designs are to be evaluated, the objective is based on the use of covered products having efficiencies not exceeding—

''(i) for residential furnaces, central air conditioners, and heat pumps, effective not earlier than January 1, 2013 and until such time as a level takes effect for the product under clause (ii)—

''(I) for the States described in section 325(d)(5)(B)(i)—

''(aa) 92 percent AFUE for gas furnaces; and

''(bb) 14 SEER for central air conditioners (not including heat pumps);

''(II) for the States and other localities described in section 325(d)(4)(B)(i) (except for the States of Arizona, California, Nevada, and New Mexico)—

''(aa) 90 percent AFUE for gas furnaces; and

''(bb) 15 SEER for central air conditioners;

''(III) for the States of Arizona, California, Nevada, and New Mexico—

''(aa) 92 percent AFUE for gas furnaces;

''(bb) 15 SEER for central air conditioners;

''(cc) an EER of 12.5 for air conditioners (not including heat pumps) with cooling capacity less than 45,000 Btu per hour; and

''(dd) an EER of 12.0 for air conditioners (not including heat pumps) with cooling capacity of 45,000 Btu per hour or more; and

''(IV) for all States—

''(aa) 85 percent AFUE for oil furnaces; and

''(bb) 15 SEER and 8.5 HSPF for heat pumps;

''(ii) the building code levels established pursuant to section 325; or

''(iii) the applicable standards or levels specified in subparagraph (B).

''(D) The credit to the energy consumption or conservation objective allowed by the code for installing a covered product having an energy efficiency exceeding the applicable standard or level specified in subparagraph (C) is on a 1-for-1 equivalent energy use or equivalent energy cost basis, which may take into account the typical lifetimes of the products and building features, using lifetimes for covered products based on information published by the Department of Energy or the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

''(E) If the code sets forth 1 or more combinations of items that meet the energy consumption or conservation objective, and if 1 or more combinations specify an efficiency level for a covered product that exceeds the applicable standards and levels specified in subparagraph (B)—

''(i) there is at least 1 combination that includes such covered products having efficiencies not exceeding 1 of the standards or levels specified in subparagraph (B); and

''(ii) if 1 or more combinations of items specify an efficiency level for a furnace, central air conditioner, or heat pump that exceeds the applicable standards and levels specified in subparagraph (B), there is at least 1 combination that the State has found to be reasonably achievable using commercially available technologies that includes such products having efficiencies at the applicable levels specified in subparagraph (C), except that no combination need include a product having an efficiency less than the level specified in subparagraph (B)(ii).

''(F) The energy consumption or conservation objective is specified in terms of an estimated total consumption of energy (which

may be specified in units of energy or its equivalent cost).'';

(2) in paragraph (4)(B)—

(A) by inserting after ''building code'' the first place it appears the following: ''contains a mandatory requirement that, under all code compliance paths,''; and

(B) by striking ''unless the'' and all that follows through ''subsection (d)''; and

(3) by adding at the end the following:

''(5) REPLACEMENT OF COVERED PRODUCT.—Paragraph (3) shall not apply to the replacement of a covered product serving an existing building unless the replacement results in an increase in capacity greater than—

''(A) 12,000 Btu per hour for residential air conditioners and heat pumps; or

''(B) 20 percent for other covered products.''.

SEC. 3. ENERGY CONSERVATION STANDARDS FOR HEAT PUMP POOL HEATERS.

(a) DEFINITIONS.—

(1) EFFICIENCY DESCRIPTOR.—Section 321(22) of the Energy Policy and Conservation Act (42 U.S.C. 6291(22)) is amended—

(A) in subparagraph (E), by inserting ''gas-fired'' before ''pool heaters''; and

(B) by adding at the end the following:

''(F) For heat pump pool heaters, coefficient of performance of heat pump pool heaters.''.

(2) COEFFICIENT OF PERFORMANCE OF HEAT PUMP POOL HEATERS.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291)) is amended by inserting after paragraph (25) the following:

''(25A) COEFFICIENT OF PERFORMANCE OF HEAT PUMP POOL HEATERS.—The term 'coefficient of performance of heat pump pool heaters' means the ratio of the capacity to power input value obtained at the following rating conditions: 50.0°F db/44.2°F wb outdoor air and 80.0°F entering water temperatures, according to AHRI Standard 1160.''.

(3) THERMAL EFFICIENCY OF GAS-FIRED POOL HEATERS.—Section 321(26) of the Energy Policy and Conservation Act (42 U.S.C. 6291(26)) by inserting ''gas-fired'' before ''pool heaters''.

(b) STANDARDS FOR POOL HEATERS.—Section 325(e)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6295(e)(2)) is amended—

(1) by striking ''(2) The thermal efficiency of pool heaters'' and inserting the following:

''(2) POOL HEATERS.—

''(A) GAS-FIRED POOL HEATERS.—The thermal efficiency of gas-fired pool heaters''; and

(2) by adding at the end the following:

''(B) HEAT PUMP POOL HEATERS.—Heat pump pool heaters manufactured on or after the date of enactment of this subparagraph shall have a minimum coefficient of performance of 4.0.''.

SEC. 4. EFFICIENCY STANDARDS FOR CLASS A EXTERNAL POWER SUPPLIES.

Section 325(u)(3) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)(3)) is amended—

(1) in subparagraph (A), by striking ''(D)'' and inserting ''(E)''; and

(2) by adding at the end the following:

''(E) NONAPPLICATION OF NO-LOAD MODE ENERGY EFFICIENCY STANDARDS TO EXTERNAL POWER SUPPLIES FOR CERTAIN SECURITY OR LIFE SAFETY ALARMS OR SURVEILLANCE SYSTEMS.—

''(i) DEFINITION OF SECURITY OR LIFE SAFETY ALARM OR SURVEILLANCE SYSTEM.—In this subparagraph:

''(I) IN GENERAL.—The term 'security or life safety alarm or surveillance system' means equipment designed and marketed to perform any of the following functions (on a continuous basis):

''(aa) Monitor, detect, record, or provide notification of intrusion or access to real property or physical assets or notification of threats to life safety.

''(bb) Deter or control access to real property or physical assets, or prevent the unauthorized removal of physical assets.

''(cc) Monitor, detect, record, or provide notification of fire, gas, smoke, flooding, or other physical threats to real property, physical assets, or life safety.

''(II) EXCLUSION.—The term 'security or life safety alarm or surveillance system' does not include any product with a principal function other than life safety, security, or surveillance that—

''(aa) is designed and marketed with a built-in alarm or theft-deterrent feature; or

''(bb) does not operate necessarily and continuously in active mode.

''(ii) NONAPPLICATION OF NO-LOAD MODE REQUIREMENTS.—The No-Load Mode energy efficiency standards established by this paragraph shall not apply to an external power supply manufactured before July 1, 2017, that—

''(I) is an AC-to-AC external power supply;

''(II) has a nameplate output of 20 watts or more;

''(III) is certified to the Secretary as being designed to be connected to a security or life safety alarm or surveillance system component; and

''(IV) on establishment within the External Power Supply International Efficiency Marking Protocol, as referenced in the 'Energy Star Program Requirements for Single Voltage External Ac-Dc and Ac-Ac Power Supplies', published by the Environmental Protection Agency, of a distinguishing mark for products described in this clause, is permanently marked with the distinguishing mark.

''(iii) ADMINISTRATION.—In carrying out this subparagraph, the Secretary shall—

''(I) require, with appropriate safeguard for the protection of confidential business information, the submission of unit shipment data on an annual basis; and

''(II) restrict the eligibility of external power supplies for the exemption provided under this subparagraph on a finding that a substantial number of the external power supplies are being marketed to or installed in applications other than security or life safety alarm or surveillance systems.''.

SEC. 5. PROHIBITED ACTS.

Section 332(a) of the Energy Policy and Conservation Act (42 U.S.C. 6302(a)) is amended—

(1) in paragraphs (1) and (5), by striking ''for any manufacturer or private labeler to distribute'' each place it appears and inserting ''for any manufacturer (or representative of a manufacturer), distributor, retailer, or private labeler to offer for sale or distribute'';

(2) by redesignating paragraph (6) (as added by section 321(e)(3) of Public Law 110–140 (121 Stat. 1586)) as paragraph (7); and

(3) in paragraph (7) (as so redesignated), by striking ''for any manufacturer, distributor, retailer, or private labeler to distribute'' and inserting ''for any manufacturer (or representative of a manufacturer), distributor, retailer, or private labeler to offer for sale or distribute''.

SEC. 6. OUTDOOR LIGHTING.

(a) DEFINITIONS.—

(1) COVERED EQUIPMENT.—Section 340(1) of the Energy Policy and Conservation Act (42 U.S.C. 6311(1)) is amended—

(A) by redesignating subparagraph (L) as subparagraph (O); and

(B) by inserting after subparagraph (K) the following:

''(L) Pole-mounted outdoor luminaires.

''(M) High light output double-ended quartz halogen lamps.

''(N) General purpose mercury vapor lamps.''.

(2) INDUSTRIAL EQUIPMENT.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended—

(A) by striking ''and'' before ''unfired hot water''; and

(B) by inserting after ''tanks'' the following: '', pole-mounted outdoor luminaires, high light output double-ended quartz halogen lamps, and general purpose mercury vapor lamps''.

(3) NEW DEFINITIONS.—Section 340 of the Energy Policy and Conservation Act (42 U.S.C. 6311) is amended by adding at the end the following:

''(24) AREA LUMINAIRE.—The term 'area luminaire' means a luminaire intended for lighting parking lots and general areas that—

''(A) is designed to mount on a pole using an arm, pendant, or vertical tenon;

''(B) has an opaque top or sides, but may contain a transmissive ornamental element;

''(C) has an optical aperture that is open or enclosed with a flat, sag, or drop lens;

''(D) is mounted in a fixed position with the optical aperture near horizontal, or tilted up; and

''(E) has photometric output measured using Type C photometry per IESNA LM–75–01.

''(25) DECORATIVE POSTTOP LUMINAIRE.—The term 'decorative posttop luminaire' means a luminaire with—

''(A) open or transmissive sides that is designed to be mounted directly over a pole using a vertical tenon or by fitting the luminaire directly into the pole; and

''(B) photometric output measured using Type C photometry per IESNA LM–75–01.

''(26) DUSK-TO-DAWN LUMINAIRE.—The term 'dusk-to-dawn luminaire' means a fluorescent, induction, or high intensity discharge luminaire that—

''(A) is designed to be mounted on a horizontal or horizontally slanted tenon or arm;

''(B) has an optical assembly that is coaxial with the axis of symmetry of the light source;

''(C) has an optical assembly that is—

''(i) a reflector or lamp enclosure that surrounds the light source with an open lower aperture; or

''(ii) a refractive optical assembly surrounding the light source with an open or closed lower aperture;

''(D) contains a receptacle for a photocontrol that enables the operation of the light source and is either coaxial with both the axis of symmetry of the light source and the optical assembly or offset toward the mounting bracket by less than 3 inches, or contains an integral photocontrol; and

''(E) has photometric output measured using Type C photometry per IESNA LM–75–01.

''(27) FLOODLIGHT LUMINAIRE.—The term 'floodlight luminaire' means an outdoor luminaire designed with a yoke, knuckle, or other mechanism allowing the luminaire to be aimed 40 degrees or more with its photometric distributions established with only Type B photometry in accordance with IESNA LM-75, revised 2001.

''(28) GENERAL PURPOSE MERCURY VAPOR LAMP.—The term 'general purpose mercury vapor lamp' means a mercury vapor lamp (as defined in section 321) that—

''(A) has a screw base;

''(B) is designed for use in general lighting applications (as defined in section 321);

''(C) is not a specialty application mercury vapor lamp; and

''(D) is designed to operate on a mercury vapor lamp ballast (as defined in section 321) or is a self- ballasted lamp.

''(29) HIGH LIGHT OUTPUT DOUBLE-ENDED QUARTZ HALOGEN LAMP.—The term 'high light output double-ended quartz halogen lamp' means a lamp that—

''(A) is designed for general outdoor lighting purposes;

''(B) contains a tungsten filament;

''(C) has a rated initial lumen value of greater than 6,000 and less than 40,000 lumens;

''(D) has at each end a recessed single contact, R7s base;

''(E) has a maximum overall length (MOL) between 4 and 11 inches;

''(F) has a nominal diameter less than ¾ inch (T6);

''(G) is designed to be operated at a voltage not less than 110 volts and not greater than 200 volts or is designed to be operated at a voltage between 235 volts and 300 volts;

''(H) is not a tubular quartz infrared heat lamp; and

''(I) is not a lamp marked and marketed as a Stage and Studio lamp with a rated life of 500 hours or less.

''(30) MEAN RATED LAMP LUMENS.—The term 'mean rated lamp lumens' means the rated lumens at—

''(A) 40 percent of rated lamp life for metal halide, induction, and fluorescent lamps; or

''(B) 50 percent of rated lamp life for high pressure sodium lamps.

''(31) OUTDOOR LUMINAIRE.—The term 'outdoor luminaire' means a luminaire that—

''(A) is intended for outdoor use and suitable for wet locations; and

''(B) may be shipped with or without a lamp.

''(32) POLE-MOUNTED OUTDOOR LUMINAIRE.—

''(A) IN GENERAL.—The term 'pole-mounted outdoor luminaire' means an outdoor luminaire that is designed to be mounted on an outdoor pole and is—

''(i) an area luminaire;

''(ii) a roadway and highmast luminaire;

''(iii) a decorative posttop luminaire; or

''(iv) a dusk-to-dawn luminaire.

''(B) EXCLUSIONS.—The term 'pole-mounted outdoor luminaire' does not include—

''(i) a portable luminaire designed for use at construction sites;

''(ii) a luminaire designed to be used in emergency conditions that—

''(I) incorporates a means of storing energy and a device to switch the stored energy supply to emergency lighting loads automatically on failure of the normal power supply; and

''(II) is listed and labeled as Emergency Lighting Equipment;

''(iii) a decorative gas lighting system;

''(iv) a luminaire designed explicitly for lighting for theatrical purposes, including performance, stage, film production, and video production;

''(v) a luminaire designed as theme elements in theme or amusement parks and that cannot be used in most general lighting applications;

''(vi) a luminaire designed explicitly for hazardous locations meeting the requirements of Underwriters Laboratories Standard 844–2006, 'Luminaires for Use in Hazardous (Classified) Locations';

''(vii) a residential pole-mounted luminaire that is not rated for commercial use utilizing 1 or more lamps meeting the energy conservation standards established under section 325(i) and mounted on a post or pole not taller than 10.5 feet above ground and not rated for a power draw of more than 145 watts;

''(viii) a floodlight luminaire;

''(ix) an outdoor luminaire designed for sports and recreational area use in accordance with IESNA RP-6 and utilizing an 875 watt or greater metal halide lamp;

''(x) a decorative posttop luminaire designed for using high intensity discharge lamps with total lamp wattage of 150 or less, or designed for using other lamp types with total lamp wattage of 50 watts or less;

''(xi) an area luminaire, roadway and highmast luminaire, or dusk-to-dawn luminaire designed for using high intensity discharge lamps or pin-based compact fluorescent lamps with total lamp wattage of 100 or less, or other lamp types with total lamp wattage of 50 watts or less; and

''(xii) an area luminaire, roadway and highmast luminaire, or dusk-to-dawn luminaire with a backlight rating less than 2 and with the maximum of the uplight or glare rating 3 or less.

''(33) ROADWAY AND HIGHMAST LUMINAIRE.—The term 'roadway and highmast luminaire' means a luminaire intended for lighting streets and roadways that—

''(A) is designed to mount on a pole by clamping onto the exterior of a horizontal or horizontally slanted, circular cross-section pipe tenon;

''(B) has opaque tops or sides;

''(C) has an optical aperture that is open or enclosed with a flat, sag or drop lens;

''(D) is mounted in a fixed position with the optical aperture near horizontal, or tilted up; and

''(E) has photometric output measured using Type C photometry per IESNA LM–75–01.

''(34) SPECIALTY APPLICATION MERCURY VAPOR LAMP.—The term 'specialty application mercury vapor lamp' means a mercury vapor lamp (as defined in section 321) that is—

''(A) designed only to operate on a specialty application mercury vapor lamp ballast (as defined in section 321); and

''(B) is marked and marketed for specialty applications only.

''(35) TARGET EFFICACY RATING.—The term 'target efficacy rating' means a measure of luminous efficacy of a luminaire (as defined in NEMA LE–6–2009).

''(36) TUBULAR QUARTZ INFRARED HEAT LAMP.—The term 'tubular quartz infrared heat lamp' means a double-ended quartz halogen lamp that—

''(A) is marked and marketed as an infrared heat lamp; and

''(B) radiates predominately in the infrared radiation range and in which the visible radiation is not of principal interest.''.

(b) STANDARDS.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

''(g) POLE-MOUNTED OUTDOOR LUMINAIRES.—

''(1) TARGET EFFICACY RATING, LUMEN MAINTENANCE AND POWER FACTOR REQUIREMENTS.—

''(A) DEFINITION OF MAXIMUM OF UPLIGHT OR GLARE RATING.—In this paragraph, the term 'maximum of uplight or glare rating' means, for any specific outdoor luminaire, the higher of the uplight rating or glare rating of the luminaire.

''(B) REQUIREMENTS.—Each pole-mounted outdoor luminaire manufactured on or after the date that is 3 years after the date of enactment of this subsection shall—

''(i) meet or exceed the target efficacy ratings in the following table when tested at full system input watts:

''Area, Roadway or Highmast luminaires

	Maximum of Uplight or Glare rating		
Backlight Rating	0 or 1	2 or 3	4 or 5
0 or 1	38	38	38
2 or 3	38	38	42
4 or 5	38	42	43

''Decorative Posttop or Dusk-to-Dawn luminaires

	Maximum of Uplight or Glare rating		
Backlight Rating	0 or 1	2 or 3	4 or 5
0 or 1	25	25	25
2 or 3	25	25	28
4 or 5	25	28	28;

''(ii) use lamps that have a minimum of 0.6 lumen maintenance, as determined in accordance with IESNA LM-80 for Solid State Lighting sources or calculated as mean rated lamp lumens divided by initial rated lamp lumens for other light sources; and

''(iii) have a power factor equal to or greater than 0.9 at ballast full power, except in the case of pole-mounted outdoor luminaires designed for using high intensity discharge lamps with a total rated lamp wattage of 150 watts or less, which shall have no power factor requirement.

''(2) CONTROL REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each area luminaire manufactured on or after the date that is 3 years after the date of enactment of this subsection shall be sold—

''(i) with integral controls that shall have the capability of operating the luminaire at full power and a minimum of 1 reduced power level plus off, in which case the power reduction shall be at least 30 percent of the rated lamp power; or

''(ii) with internal electronics and connective wiring or hardware (including wire leads, pigtails, inserts for wires, pin bases, or the equivalent) that—

''(I) collectively enable the area luminaire, if properly connected to an appropriate control system, to operate at full power and a minimum of 1 reduced power level plus off, in which case the reduced power level shall be at least 30 percent lower than the rated lamp power in response to signals sent by controls not integral to the luminaire as sold, that may be connected in the field; and

''(II) have connections from the components that are easily accessible in the luminaire housing and have instructions applicable to appropriate control system connections that are included with the luminaire.

''(B) NONAPPLICATION.—The control requirements of this paragraph shall not apply to—

''(i) pole-mounted outdoor luminaires utilizing probe-start metal halide lamps with rated lamp power greater than 500 watts operating in non-base-up positions; or

''(ii) pole-mounted outdoor luminaires utilizing induction lamps.

''(C) INTEGRAL PHOTOSENSORS.—Each pole-mounted outdoor luminaire sold with an integral photosensor shall use an electronic-type photocell.

''(3) RULEMAKING COMMENCING NOT LATER THAN 60 DAYS AFTER THE DATE OF ENACTMENT.—

''(A) IN GENERAL.—Not later than 60 days after the date of enactment of this subsection, the Secretary shall initiate a rulemaking procedure to determine whether the standards in effect for pole-mounted outdoor luminaires should be amended.

''(B) FINAL RULE.—

''(i) PUBLICATION.—The Secretary shall publish a final rule containing the amendments, if any, not later than January 1, 2013, or the date that is 33 months after the date of enactment of this subsection, whichever is later.

''(ii) APPLICATION.—Any amendments shall apply to products manufactured on or after January 1, 2016, or the date that is 3 years after the final rule is published in the Federal Register, whichever is later.

''(C) REVIEW.—

''(i) IN GENERAL.—As part of the rulemaking required under this paragraph, the Secretary shall review and may amend the definitions, exclusions, test procedures, power factor standards, lumen maintenance requirements, labeling requirements, and additional control requirements, including dimming functionality, for all pole-mounted outdoor luminaires.

''(ii) FACTORS.—The review of the Secretary shall include consideration of—

''(I) obstacles to compliance and whether compliance is evaded by substitution of non-regulated luminaires for regulated luminaires or allowing luminaires to comply with the standards established under this part based on use of non-standard lamps, as provided for in section 343(a)(10)(D)(i)(II);

''(II) statistical data relating to pole-mounted outdoor luminaires that—

''(aa) the Secretary shall request not later than 120 days after the date of enactment of this subsection from all identifiable manufacturers of pole-mounted outdoor luminaires, directly from manufacturers of pole-mounted outdoor luminaires or, in the case of members of the National Electrical Manufacturers Association, from the National Electrical Manufacturers Association;

''(bb) is considered necessary for the rulemaking; and

''(cc) shall be made publicly available in a manner that does not reveal manufacturer identity or confidential business information, in a timely manner for discussion at any public proceeding at which comment is solicited from the public in connection with the rulemaking, except that nothing in this subclause restricts the Secretary from seeking additional information during the course of the rulemaking; and

''(III) phased-in effective dates for different types of pole-mounted outdoor luminaires that are submitted to the Secretary in the manner provided for in section 325(p)(4), except that the phased-in effective dates shall not be subject to subparagraphs (A) and (B) of this paragraph.

''(4) RULEMAKING BEFORE FEBRUARY 1, 2015.—

''(A) IN GENERAL.—Not later than February 1, 2015, the Secretary shall initiate a rulemaking procedure to determine whether the standards in effect for pole-mounted outdoor luminaires should be amended.

''(B) FINAL RULE.—

''(i) PUBLICATION.—The Secretary shall publish a final rule containing the amendments, if any, not later than January 1, 2018.

''(ii) APPLICATION.—Any amendments shall apply to products manufactured on or after January 1, 2021.

''(C) REVIEW.—

''(i) IN GENERAL.—As part of the rulemaking required under this paragraph, the Secretary shall review and may amend the definitions, exclusions, test procedures, power factor standards, lumen maintenance requirements, labeling requirements, and additional control requirements, including dimming functionality, for all pole-mounted outdoor luminaires.

''(ii) FACTORS.—The review of the Secretary shall include consideration of—

''(I) obstacles to compliance and whether compliance is evaded by substitution of non-regulated luminaires for regulated luminaires or allowing luminaires to comply with the standards established under this part based on use of nonstandard lamps, as provided for in section 343(a)(10)(D)(i)(II);

''(II) statistical data relating to pole-mounted outdoor luminaires that—

''(aa) the Secretary considers necessary for the rulemaking and requests not later than June 1, 2015, from all identifiable manufacturers of pole-mounted outdoor luminaires, directly from manufacturers of pole-mounted outdoor luminaires and, in the case of members of the National Electrical Manufacturers Association, from the National Electrical Manufacturers Association; and

''(bb) shall be made publicly available in a manner that does not reveal manufacturer identity or confidential business information, in a timely manner for discussion at any public proceeding at which comment is solicited from the public in connection with the rulemaking, except that nothing in this subclause restricts the Secretary from seeking additional information during the course of the rulemaking; and

''(III) phased-in effective dates for different types of pole-mounted outdoor luminaires that are submitted to the Secretary in the manner provided for in section 325(p)(4), except that the phased-in effective dates shall not be subject to subparagraphs (A) and (B) of this paragraph.

''(h) HIGH LIGHT OUTPUT DOUBLE-ENDED QUARTZ HALOGEN LAMPS.—A high light output double-ended quartz halogen lamp manufactured on or after January 1, 2016, shall have a minimum efficiency of—

''(1) 27 LPW for lamps with a minimum rated initial lumen value greater than 6,000 and a maximum initial lumen value of 15,000; and

''(2) 34 LPW for lamps with a rated initial lumen value greater than 15,000 and less than 40,000.

''(i) GENERAL PURPOSE MERCURY VAPOR LAMPS.—A general purpose mercury vapor lamp shall not be manufactured on or after January 1, 2016.''.

(c) TEST METHODS.—Section 343(a) of the Energy Policy and Conservation Act (42 U.S.C. 6314(a)) is amended by adding at the end the following:

''(10) POLE-MOUNTED OUTDOOR LUMINAIRES.—

''(A) IN GENERAL.—With respect to pole-mounted outdoor luminaires to which standards are applicable under section 342, the test methods shall be those described in this paragraph.

''(B) PHOTOMETRIC TEST METHODS.—For photometric test methods, the methods shall be those specified in—

''(i) IES LM–10–96—Approved Method for Photometric Testing of Outdoor Fluorescent Luminaires;

''(ii) IES LM–31–95—Photometric Testing of Roadway Luminaires Using Incandescent Filament and High Intensity Discharge Lamps;

''(iii) IES LM–79–08—Electrical and Photometric Measurements of Solid-State Lighting Products;

''(iv) IES LM–80–08—Measuring Lumen Maintenance of LED Light Sources;

''(v) IES LM–40–01—Life testing of Fluorescent Lamps;

''(vi) IES LM–47–01—Life testing of High Intensity Discharge (HID) Lamps;

''(vii) IES LM–49–01—Life testing of Incandescent Filament Lamps;

''(viii) IES LM–60–01—Life testing of Low Pressure Sodium Lamps; and

''(ix) IES LM–65–01—Life testing of Compact Fluorescent Lamps.

''(C) OUTDOOR BACKLIGHT, UPLIGHT, AND GLARE RATINGS.—For determining outdoor backlight, uplight, and glare ratings, the classifications shall be those specified in IES TM–15–07 - Luminaire Classification System for Outdoor Luminaires with Addendum A.

''(D) TARGET EFFICACY RATING.—For determining the target efficacy rating, the procedures shall be those specified in NEMA LE–6–2009 – 'Procedure for Determining Target Efficacy Ratings (TER) for Commercial, Industrial and Residential Luminaires,' and all of the following additional criteria (as applicable):

''(i) The target efficacy rating shall be calculated based on the initial rated lamp lumen and rated watt value equivalent to the lamp with which the luminaire is shipped, or, if not shipped with a lamp, the target efficacy rating shall be calculated based on—

''(I) the applicable standard lamp as established by subparagraph (E); or

''(II) a lamp that has a rated wattage and rated initial lamp lumens that are the same as the maximum lamp watts and minimum lamp lumens labeled on the luminaire, in accordance with section 344(f).

''(ii) If the luminaire is designed to operate at more than 1 nominal input voltage, the ballast input watts used in the target efficacy rating calculation shall be the highest value for any nominal input voltage for which the ballast is designed to operate.

''(iii) If the luminaire is a pole-mounted outdoor luminaire that contains a ballast that is labeled to operate lamps of more than 1 wattage, the luminaire shall—

''(I) meet or exceed the target efficacy rating in the table in section 342(g)(1)(A) calculated in accordance with clause (i) for all lamp wattages that the ballast is labeled to operate;

''(II) be constructed such that the luminaire is only capable of accepting lamp wattages that produce target efficacy ratings that meet or exceed the values in the table in section 342(g)(1)(A) calculated in accordance with clause (i); or

''(III) be rated and prominently labeled for a maximum lamp wattage that results in the luminaire meeting or exceeding the target efficacy rating in the table in section 342(g)(1)(A) when calculated and labeled in accordance with clause (i).

''(iv) If the luminaire is a pole-mounted outdoor luminaire that is constructed such that the luminaire will only accept an ANSI Type-O lamp, the luminaire shall meet or exceed the target efficacy rating in the table in section 342(g)(1)(A) when tested with an ANSI Type-O lamp.

''(v) If the luminaire is a pole-mounted outdoor luminaire that is marketed to use a coated lamp, the luminaire shall meet or exceed the target efficacy rating in the table in section 342(g)(1)(A) when tested with a coated lamp.

''(vi) If the luminaire is a solid state lighting pole-mounted outdoor luminaire, the luminaire shall have its target efficacy rating calculated based on the combination of absolute luminaire lumen values and input wattages that results in the lowest possible target efficacy rating for any light source, including ranges of correlated color temperature and color rendering index values, for which the luminaire is marketed by the luminaire manufacturer.

''(vii) If the luminaire is a high intensity discharge pole-mounted outdoor luminaire using a ballast that has a ballast factor different than 1, the target efficacy rating of the luminaire shall be calculated by using the input watts needed to operate the lamp at full rated power, or by using the actual ballast factor of the ballast.

''(E) TABLE OF STANDARD LAMP TYPES.—

''(i) IN GENERAL.—The National Electrical Manufacturers Association shall develop and publish not later than 1 year after the date of enactment of this paragraph and thereafter maintain and regularly update on a publicly available website a table including standard lamp types by wattage, ANSI code, initial lamp lumen value, lamp orientation, and lamp finish.

''(ii) INITIAL LAMP LUMEN VALUES.—The initial lamp lumen values shall—

''(I) be determined according to a uniform rating method and tested according to accepted industry practice for each lamp that is considered for inclusion in the table; and

''(II) in each case contained in the table, be the lowest known initial lamp lumen value that approximates typical performance in representative general outdoor lighting applications.

''(iii) ACTIONS.—On completion of the table required by this subparagraph and any updates to the table—

''(I) the National Electrical Manufacturers Association shall submit the table and any updates to the Secretary; and

''(II) the Secretary shall—

''(aa) publish the table and any comments that are included with the table in the Federal Register;

''(bb) solicit public comment on the table; and

''(cc) not later than 180 days after date of receipt of the table, after considering the factors described in clause (iv), adopt the table for purposes of this part.

''(iv) REBUTTABLE PRESUMPTION.—

''(I) IN GENERAL.—There shall be a rebuttable presumption that the table and any updates to the table transmitted by the National Electrical Manufacturers Association to the Secretary meets the requirements of this subparagraph, which may be rebutted only if the Secretary finds by clear and substantial evidence that—

''(aa) data have been included that were not the result of having applied applicable industry standards; or

''(bb) lamps have been included in the table that are not representative of general outdoor lighting applications.

''(II) CONFORMING CHANGES.—If subclause (I) applies, the National Electrical Manufacturers Association shall conform the published table of the Association to the table adopted by the Secretary.

''(v) NONTRANSMISSION OF TABLE.—If the National Electrical Manufacturers Association has not submitted the table to the Secretary within 1 year after the date of enactment of this paragraph, the Secretary shall develop, publish, and adopt the table not later than 18 months after the date of enactment of this paragraph and update the table regularly.

''(F) AMENDMENT OF TEST METHODS.—The Secretary may, by rule, adopt new or additional test methods for pole-mounted outdoor luminaires in accordance with this section.''.

(d) LABELING.—Section 344 of the Energy Policy and Conservation Act (42 U.S.C. 6315) is amended—

(1) in subsections (d) and (e), by striking ''(h)'' each place it appears and inserting ''(i)'';

(2) by redesignating subsections (f) through (k) as subsections (g) through (l), respectively; and

(3) by inserting after subsection (e) the following:

''(f) LABELING RULES FOR POLE-MOUNTED OUTDOOR LUMINAIRES.—

''(1) IN GENERAL.—Subject to subsection (i), not later than 1 year after the date of enactment of this paragraph, the Secretary shall establish labeling rules under this part for pole-mounted outdoor luminaires manufactured on or after the date on which standards established under section 342(g) take effect.

''(2) RULES.—The rules shall require—

''(A) for pole-mounted outdoor luminaires, that the luminaire, be marked with a capital letter 'P' printed within a circle in a conspicuous location on both the pole-mounted luminaire and its packaging to indicate that the pole-mounted outdoor luminaire conforms to the energy conservation standards established in section 342(g); and

''(B) for pole-mounted outdoor luminaires that do not contain a lamp in the same shipment with the luminaire and are tested with a lamp with a lumen rating exceeding the standard lumen value specified in the table established under section 343(a)(10)(E), that the luminaire—

''(i) be labeled to identify the minimum rated initial lamp lumens and maximum rated lamp watts required to conform to the energy conservation standards established in section 342(g); and

''(ii) bear a statement on the label that states: 'Product violates Federal law when installed with a standard lamp. Use only a lamp that meets the minimum lumens and maximum watts provided on this label.' ''.

(e) PREEMPTION.—Section 345 of the Energy Policy and Conservation Act (42 U.S.C. 6316) is amended—

(1) in the first sentence of subsection (a), by striking ''The'' and inserting ''Except as otherwise provided in this section, the''; and

(2) by adding at the end the following:

''(i) POLE-MOUNTED OUTDOOR LUMINAIRES AND HIGH LIGHT OUTPUT DOUBLE-ENDED QUARTZ HALOGEN LAMPS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), section 327 shall apply to pole-mounted outdoor luminaires and high light output double-ended quartz halogen lamps to the same extent and in the same manner as the section applies under part B.

''(2) STATE ENERGY CONSERVATION STANDARDS.—Any State energy conservation standard that is adopted on or before January 1, 2015, pursuant to a statutory requirement to adopt efficiency standard for reducing outdoor lighting energy use enacted prior to January 31, 2008, shall not be preempted.''.

SEC. 7. ENERGY EFFICIENCY PROVISIONS.

(a) DIRECT FINAL RULE.—Section 323(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6293(b)(1)) is amended by adding at the end the following:

''(B) TEST PROCEDURES.—The Secretary may, in accordance with the requirements of this subsection, prescribe test procedures for any consumer product classified as a covered product under section 322(b).

''(C) NEW OR AMENDED TEST PROCEDURES.—The Secretary shall direct the National Bureau of Standards to assist in developing new or amended test procedures.

''(D) DIRECT FINAL RULE.—The Secretary may adopt a consensus test procedure in accordance with the direct final rule procedure established under section 325(p)(4).''.

(b) CRITERIA FOR PRESCRIBING NEW OR AMENDED STANDARDS.—Section 325(o) of the Energy Policy and Conservation Act (42 U.S.C. 6295(o)) is amended—

(1) in paragraph (2)(B)—

(A) in clause (i)—

(i) in subclause (III), by adding before the semicolon ''and the estimated impact on average energy prices'';

(ii) in subclause (VI), by striking ''; and'' and inserting a semicolon;

(iii) by redesignating subclause (VII) as subclause (VIII); and

(iv) by inserting after subclause (VI) the following:

''(VII) the net energy, environmental, and economic impacts due to smart grid technologies or capabilities in a covered product that enable demand response or response to time-dependent energy pricing, taking into consideration the rate of use of the smart grid technologies or capabilities over the life of the product that is likely to result from the imposition of the standard; and''; and

(B) in clause (iii)—

(i) by striking ''(iii) If the Secretary finds'' and inserting the following:

''(iii) REBUTTABLE PRESUMPTION.—

''(I) IN GENERAL.—Subject to subclause (II), if the Secretary finds'';

(ii) in subclause (I) (as designated by clause (i)), by striking ''three'' and inserting ''4''; and

(iii) by striking the second sentence and inserting the following:

''(II) MULTIPLIER FOR CERTAIN PRODUCTS.—For any product with an average expected useful life of less than 4 years, the rebuttable presumption described in subclause (I) shall be determined using 75 percent of the average expected useful life of the product as a multiplier instead of 4.

''(III) REQUIREMENT FOR REBUTTAL OF PRESUMPTION.—A presumption described in subclause (I) may be rebutted only if the Secretary finds, based on clear and substantial evidence, that—

''(aa) the standard level would cause substantial hardship to the average consumer of the product, or to manufacturers supplying a significant portion of the market for the product, in terms of manufacturing or product cost or loss of product utility or features, the aggregate of which outweighs the benefits of the standard level;

''(bb) the standard and implementing regulations cannot reasonably be designed to avoid or mitigate any hardship described in item (aa) (including through the adoption of regional standards for the products identified in, and consistent with, paragraph (6) or other reasonable means consistent with this part) and the hardship cannot be avoided or mitigated through the procedures described in section 504 of the Department of Energy Organization Act (42 U.S.C. 7194); and

''(cc) the same or a substantially similar hardship with respect to a hardship described in item (aa) would not occur under a standard adopted in the absence of the presumption, but that otherwise meets the requirements of this section.

''(IV) PROHIBITED FACTORS FOR DETERMINATION.—

''(aa) IN GENERAL.—Except as provided in item (bb), a determination by the Secretary that the criteria triggering a presumption described in subclause (I) are not met, or that the criterion for rebutting the presumption are met, shall not be taken into consideration by the Secretary in determining whether a standard is economically justified.

''(bb) EXCEPTION.—Evidence presented regarding the presumption may be considered by the Secretary in making a determination described in item (aa).''; and

(2) by adding at the end the following:

''(7) INCORPORATION OF SMART GRID TECHNOLOGIES.—The Secretary may incorporate smart grid technologies or capabilities into standards under this section, including through—

''(A) standards for covered products that require specific technologies or capabilities;

''(B) standards that provide credit for smart grid technologies or capabilities, to the extent the smart grid technologies or capabilities provide net benefits substantially equivalent to benefits of products that meet the standards without smart grid technologies or capabilities, taking into consideration energy, economic, and environmental impacts (including emissions reductions from electrical generation); and

''(C) multiple performance standards or design requirements to achieve—

''(i) the goals of—

''(I) reducing overall energy use; and

''(II) reducing peak demand; or

''(ii) other smart grid goals.''.

(c) OBTAINMENT OF APPLIANCE INFORMATION FROM MANUFACTURERS.—Section 326 of the Energy Policy and Conservation Act (42 U.S.C. 6296) is amended by striking subsection (d) and inserting the following:

''(d) INFORMATION REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of carrying out this part, the Secretary shall promulgate proposed regulations not later than 1 year after the date of enactment of the National Energy Efficiency Enhancement Act of 2010, and after receiving public comment, final regulations not later than 18 months after the date of enactment of that Act, under this part or other provision of law administered by the Secretary, that shall require each manufacturer of a covered product, on a product specific basis, to submit information or reports to the Secretary—

''(A) in such form as the Secretary may adopt; and

''(B) on—

''(i) an annual basis; or

''(ii) any other regular basis that is not less frequent than once every 3 years.

''(2) FORM AND CONTENT OF REPORTS.—The form and content of each report required by a manufacturer of a covered product under paragraph (1)—

''(A) may vary by product type, as determined by the Secretary; and

''(B) shall include information or data regarding—

''(i) the compliance by the manufacturer with respect to each requirement applicable pursuant to this part;

''(ii) the annual shipments by the manufacturer of each class or category of covered products, subdivided, to the extent practicable, by—

''(I) energy efficiency, energy use, and, if applicable, water use;

''(II) the presence or absence of such efficiency related or energy consuming operational characteristics or components as the Secretary determines to be relevant for the purposes of carrying out this part; and

''(III) the State or regional location of sale for covered products for which the Secretary may adopt regional standards; and

''(iii) such other categories of information that the Secretary determines to be relevant to carry out this part, including such other information that may be necessary—

''(I) to establish and revise—

''(aa) test procedures;

''(bb) labeling rules; and

''(cc) energy conservation standards;

''(II) to ensure compliance with the requirements of this part; and

''(III) to estimate the impacts on consumers and manufacturers of energy conservation standards in effect as of the reporting date.

''(3) REQUIREMENTS OF SECRETARY IN PROMULGATING REGULATIONS.—In promulgating regulations under paragraph (1), the Secretary shall consider—

''(A) existing public sources of information, including nationally recognized certification or verification programs of trade associations; and

''(B)(i) whether some or all of the information described in paragraph (2) is submitted to another Federal agency; and

''(ii) the means by which to minimize any duplication of requests for information by Federal agencies.

''(4) MINIMIZATION OF BURDENS ON MANUFACTURERS.—In carrying out this subsection, the Secretary shall exercise the authority of the Secretary under this subsection in a manner designed to minimize burdens on the manufacturers of covered products.

''(5) REPORTING OF ENERGY INFORMATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), section 11(d) of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. 796(d)) shall apply with respect to information obtained under this subsection to the same extent and in the same manner as section 11(d) of that Act applies with respect to energy information obtained under section 11 of that Act.

''(B) ADMINISTRATION.—Subparagraph (A) shall apply to the extent that subparagraph (A) does not conflict with the duties of the Secretary in carrying out this part.

''(6) COORDINATION WITH STATE AGENCIES.—In adopting reporting requirements under paragraph (1), the Secretary shall, to the extent practicable, coordinate with State agencies that conduct similar data gathering initiatives—

''(A) to ensure the uniformity of the requirements; and

''(B) to mitigate reporting burdens.

''(7) PERIODIC REVISIONS.—In accordance with each procedure and criteria required under paragraph (1), the Secretary may periodically revise the reporting requirements adopted under paragraph (1).''.

(d) WAIVER OF FEDERAL PREEMPTION.—Section 327(d)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6297(d)(1)) is amended—

(1) in subparagraph (B)—

(A) by inserting ''(i)'' before ''Subject to paragraphs''; and

(B) by adding at the end the following:

''(ii) In making a finding under clause (i), the Secretary may not reject a petition for failure of the petitioning State or river basin commission to produce confidential information maintained by any manufacturer or distributor, or group or association of manufacturers or distributors, that the petitioning party has requested and not received.''; and

(2) in the matter following subparagraph (C)(ii), by adding at the end the following: ''Notwithstanding the preceding sentence, the Secretary may approve a waiver petition submitted by a State that does not have an energy plan and forecast if the waiver petition concerns a State regulation adopted pursuant to a notice and comment rulemaking proceeding.''

(e) PERMITTING STATES TO SEEK INJUNCTIVE ENFORCEMENT.—Section 334 of the Energy Policy and Conservation Act (42 U.S.C. 6304) is amended to read as follows:

''SEC. 334. PERMITTING STATES TO SEEK INJUNCTIVE ENFORCEMENT.

''(a) JURISDICTION.—The United States district courts shall have original jurisdiction of a civil action seeking an injunction to restrain—

''(1) any violation of section 332; and

''(2) any person from distributing in commerce any covered product that does not comply with an applicable rule under section 324 or 325.

''(b) AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an action under subsection (a) shall be brought by—

''(A) the Commission; or

''(B) the attorney general of a State in the name of the State.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), only the Secretary may bring an action under this section to restrain—

''(i) a violation of section 332(a)(3) relating to a requirement prescribed by the Secretary; or

''(ii) a violation of section 332(a)(4) relating to a request by the Secretary under section 326(b)(2).

''(B) OTHER PROHIBITED ACTS.—An action under this section regarding a violation of paragraph (5) or (7) of section 332(a) shall be brought by—

''(i) the Secretary; or

''(ii) the attorney general of a State in the name of the State.

''(c) LIMITATION.—If an action under this section is brought by the attorney general of a State—

''(1) not less than 30 days before the date of commencement of the action, the State shall—

''(A) provide written notice to the Secretary and the Commission; and

''(B) provide the Secretary and the Commission with a copy of the complaint;

''(2) the Secretary and the Commission—

''(A) may intervene in the suit or action;

''(B) upon intervening, shall be heard on all matters arising from the suit or action; and

''(C) may file petitions for appeal;

''(3) no separate action may be brought under this section if, at the time written notice is provided under paragraph (1), the same alleged violation or failure to comply is the subject of a pending action, or a final judicial judgment or decree, by the United States under this Act; and

''(4) the action shall not be construed—

''(A) as to prevent the attorney general of a State, or other authorized officer of the State, from exercising the powers conferred on the attorney general, or other authorized officer of the State, by the laws of the State (including regulations); or

''(B) as to prohibit the attorney general of a State, or other authorized officer of the State, from proceeding in a Federal or State court on the basis of an alleged violation of any civil or criminal statute of the State.

''(d) VENUE; SERVICE OF PROCESS.—

''(1) VENUE.—An action under this section may be brought in the United States district court for—

''(A) the district in which the act, omission, or transaction constituting the applicable violation occurred; or

''(B) the district in which the defendant—

''(i) resides; or

''(ii) transacts business.

''(2) SERVICE OF PROCESS.—In an action under this section, process may be served on a defendant in any district in which the defendant resides or is otherwise located.''.

(f) TREATMENT OF APPLIANCES WITHIN BUILDING CODES.—Section 327 of the Energy Policy and Conservation Act (42 U.S.C. 6297) is amended by adding at the end the following:

''(h) RECOGNITION OF ALTERNATIVE REFRIGERANT USES.—With respect to State or local laws (including regulations) prohibiting, limiting, or restricting the use of alternative refrigerants for specific end uses approved by the Administrator of the Environmental Protection Agency pursuant to the Significant New Alternatives Program under section 612 of the Clean Air Act (42 U.S.C. 7671k) for use in a covered product under section 322(a)(1) considered on or after the date of enactment of this subsection, notice shall be provided to the Administrator before or during any State or local public comment period to provide to the Administrator an opportunity to comment.''.

(g) TECHNICAL AMENDMENT.—Section 332(a) of the Energy Policy and Conservation Act (42 U.S.C. 6302(a)) is amended by redesignating the second paragraph (6) as paragraph (7).

SECTION BY SECTION SUMMARY OF THE NATIONAL ENERGY EFFICIENCY ENHANCEMENT ACT OF 2010

Sec. 1. Short Title.

Sec. 2. Energy Conservation Standards.

(a) Amends section 321 of EPCA for the definition of ''energy efficiency standard'' to allow DOE to establish more than one performance standard, and adds definitions for ''EER'' and ''HSPF''.

(b) Amends section 323(b) to establish test procedures for EER and HSPF.

(c) Amends section 325(d) to establish regional and increased energy efficiency standards for central air conditioners and heat pumps, and related equipment, to be effective on or after Jan 1, 2015, and sets forth dates for the consideration of future standards.

(d) Amends section 325(d) to establish definitions for Through-the-Wall air conditioning and heat pump systems, and small-duct, high velocity systems, and directs DOE to set standards for these products to be effective on or after June 30, 2016.

(e) Amends section 325(f) to establish definitions and regional standards for non-weatherized gas and oil furnaces to be effective on or after May, 2013; and for weatherized gas furnaces, to be effective on or after January 1, 2015.

(f) Amends section 327(f) to provide that State building codes may provide for products that have efficiencies that exceed applicable Federal standards, within certain limits and if such State code provides for combinations of energy items to meet the code objectives that includes at least one combination that does not exceed Federal products standards.

Sec. 3. Energy Conservation Standards for Heat Pump Pool Heaters.

Amends sections 321 and 325 to provide definitions and establish efficiency standards for heat pump pool heaters.

Sec. 4. Efficiency Standards for Class A external Power Supplies.

Amends section 325(u) to provide a definition for ''security or life safety alarm or surveillance system'' and provides an exemption for certain such products from the ''no load'' portion of the Federal efficiency standards until July 1, 2017.

Sec. 5. Prohibited Acts.

Amends section 332 to clarify that representatives of manufacturers, distributers, and retailers, just as manufacturers and private labelers currently, are prohibited from the sale and distribution of products that do not meet the Federal minimum efficiency standards.

Sec 6. Outdoor Lighting.

Amends sections 340, 342, 343, 344, and 345 to provide definitions, efficiency standards, rulemaking deadlines and effective dates, test methods, labeling and preemption treatment for pole-mounted outdoor lighting products (e.g. street and parking lot light fixtures, bulbs and controls). Also sets standards for double-ended halogen lamps (high wattage incandescent lamps generally used outdoors) and ends the production of standard mercury vapor lamps, effective 2016, completing the transition to higher efficiency lighting sources begun when inefficient mercury vapor fixtures and ballasts were phased out in EPAct 2005.

Sec. 7. Energy Efficiency Provisions.

(a) Direct Final Rule. Amends section 323 to permit DOE to accelerate the prescription of consensus test procedures and to direct the National Bureau of Standards to assist in developing or amending test procedures.

(b) Criteria for Prescribing New or Amended Standards. Amends section 325(o) to: (A) add ''impact on average energy prices'' and ''impacts due to smart grid'' as new criteria for setting efficiency standards, (B) establishes a rebuttable presumption for what DOE determines to be a minimum ''technically feasible and economically justified'' efficiency standard, and (C) authorizes DOE to include smart grid technologies into product standards, listing credits and other options for including these technologies.

(c) Obtainment of Appliance Information from Manufacturers. Amends section 326 to direct DOE to require manufacturers to submit specific product information to DOE such as compliance, annual shipments, and energy use and efficiency, and to coordinate information gathering activities with State agencies.

(d) Waiver of Federal Preemption. Amends section 327(d) to clarify that DOE may not reject a State waiver petition for failure of the State to produce information that is confidentially maintained by any manufacturer or others and from whom the State has requested, but not received, the information.

(e) Permitting States to Seek Injunctive Enforcement. Amends section 334 to authorize and prescribe the procedures by which a State may seek an injunction to restrain certain violations of the DOE efficiency program.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 429—MAKING MINORITY PARTY APPOINTMENTS FOR CERTAIN COMMITTEES FOR THE 111TH CONGRESS

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 429

Resolved, That the following be the minority membership on the following committees for the remainder of the 111th Congress, or until their successors are appointed:

COMMITTEE ON ARMED SERVICES: Mr. McCain, Mr. Inhofe, Mr. Sessions, Mr. Chambliss, Mr. Graham, Mr. Thune, Mr. Wicker, Mr. LeMieux, Mr. Brown, Mr. Burr, Mr. Vitter, and Ms. Collins.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins, Mr. Coburn, Mr. Brown, Mr. McCain, Mr. Voinovich, Mr. Ensign, and Mr. Graham.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Burr, Mr. Isakson, Mr. Wicker, Mr. Johanns, Mr. Brown, and Mr. Graham.

SENATE CONCURRENT RESOLUTION 52—EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 20 AS A NATIONAL DAY OF RECOGNITION FOR LONG-TERM CARE PHYSICIANS

Mr. CHAMBLISS submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 52

Whereas a National Day of Recognition for Long-Term Care Physicians is designed to honor and recognize physicians who care for an ever-growing elderly population in different settings, including skilled nursing facilities, assisted living, hospice, continuing care retirement communities, post-acute care, home care, and private offices;

Whereas the average long-term care physician has nearly 20 years of practice experience and dedicates themselves to 1 or 2 facilities with nearly 100 residents and patients;

Whereas the American Medical Directors Association is the professional association of medical directors, attending physicians, and others practicing in the long-term continuum and is dedicated to excellence in patient care and provides education, advocacy, information, and professional development to promote the delivery of quality long-term care medicine; and

Whereas the American Medical Directors Association would like to honor founder and long-term care physician William A. Dodd, M.D., C.M.D., who was born on March 20, 1921: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress expresses support for—

(1) the designation of March 20 as a National Day of Recognition for Long-Term Care Physicians; and

(2) the goals and ideals of a National Day of Recognition for Long-Term Care Physicians.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3346. Mr. LEAHY (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 3347. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3348. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3349. Mr. DODD submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3350. Ms. STABENOW (for herself, Mr. HATCH, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3351. Mr. REED (for himself, Ms. SNOWE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3352. Mr. GRASSLEY (for himself, Mr. CRAPO, Mr. ROBERTS, Mr. ENSIGN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3353. Mr. SANDERS (for himself, Mr. DODD, Mr. WHITEHOUSE, Mr. LEAHY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3354. Mr. WHITEHOUSE (for himself, Mr. SCHUMER, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 3355. Mr. BUNNING proposed an amendment to the bill H.R. 4691, to provide a temporary extension of certain programs, and for other purposes.

SA 3356. Mrs. MURRAY (for herself, Mr. HARKIN, Mrs. BOXER, Mr. BEGICH, and Mr. BURRIS) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 3357. Mr. DODD (for himself, Ms. STABENOW, Mr. LEVIN, and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3346. Mr. LEAHY (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 537, and insert the following:

SEC. 537. EFFECTIVE DATE; NONINFRINGEMENT OF COPYRIGHT.

(a) EFFECTIVE DATE.—Unless specifically provided otherwise, this title, and the amendments made by this title, shall take effect on February 27, 2010, and with the exception of the reference in subsection (b), all references to the date of enactment of this Act shall be deemed to refer to February 27, 2010, unless otherwise specified.

(b) NONINFRINGEMENT OF COPYRIGHT.—The secondary transmission of a performance or display of a work embodied in a primary transmission is not an infringement of copyright if it was made by a satellite carrier on or after February 27, 2010, and prior to enactment of this Act, and was in compliance with the law as in existence on February 27, 2010.

SA 3347. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LEASES OF RESTRICTED LAND.

Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence by inserting ''land held in trust for the Coquille Indian Tribe, land held in trust for the Confederated Tribes of Siletz Indians, land held in trust for the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, land held in trust for the Klamath Tribes, and land held in trust for the Burns Paiute Tribe,'' after ''lands held in trust for the Confederated Tribes of the Warm Springs Reservation of Oregon,''.

SA 3348. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 103. EMPLOYEE PAYROLL TAX RATE CUT.

(a) IN GENERAL.—For the 6-calendar-month period beginning after the date which is 60 days after the date of the enactment of this Act, the Secretary of the Treasury shall reduce the rate of tax under section 3101(a) of the Internal Revenue Code of 1986 and 50 percent of the rate of tax under section 1401(a) of such Code by such percentage such that the resulting reduction in revenues to the Federal Old-Age and Survivors Insurance Trust Fund is equal to 100 percent of the amounts appropriated or made available and remaining unobligated under the American Recovery and Reinvestment Act of 2009 (Pub. Law 111–5) as of the date of the enactment of this Act.

(b) TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are appropriated to the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) amounts equal to the reduction in revenues to the Treasury by reason of the application of subsection (a). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had such amendment not been enacted.

(c) REPLENISHMENT OF GENERAL FUND THROUGH RESCISSION OF CERTAIN STIMULUS FUNDS.—Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), from the amounts appropriated or made available under division A of such Act (other than under title X of such division A), there is rescinded any remaining unobligated amounts as of the date of the enactment of this Act. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

(d) EMERGENCY DESIGNATION.—This section is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)) and section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010. In the House of Representatives, this section is designated as an emergency for purposes of pay-as-you-go principles.

SA 3349. Mr. DODD submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, line 21, after the second period insert the following: ''The amendment made by this section shall be considered to have taken effect on February 28, 2010.''.

SA 3350. Ms. STABENOW (for herself, Mr. HATCH, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 602. ELECTION TO TEMPORARILY UTILIZE UNUSED AMT CREDITS DETERMINED BY DOMESTIC INVESTMENT.

(a) IN GENERAL.—Section 53 is amended by adding at the end the following new subsection:

''(g) ELECTION FOR CORPORATIONS WITH UNUSED CREDITS.—

''(1) IN GENERAL.—If a corporation elects to have this subsection apply, then notwithstanding any other provision of law, the limitation imposed by subsection (c) for any such taxable year shall be increased by the AMT credit adjustment amount.

''(2) AMT CREDIT ADJUSTMENT AMOUNT.—For purposes of paragraph (1), the term 'AMT credit adjustment amount' means with respect to any taxable year beginning in 2010, the lesser of—

''(A) a corporation's minimum tax credit determined under subsection (b), or

''(B) 20 percent of new domestic investments made during such taxable year.

''(3) NEW DOMESTIC INVESTMENTS.—For purposes of this subsection, the term 'new domestic investments' means the cost of qualified property (as defined in section 168(k)(2)(A)(i))—

''(A) the original use of which commences with the taxpayer during the taxable year, and

''(B) which is placed in service in the United States by the taxpayer during such taxable year.

''(4) CREDIT REFUNDABLE.—For purposes of subsections (b) and (c) of section 6401, the aggregate increase in the credits allowable under part IV of subchapter A for any taxable year resulting from the application of this subsection shall be treated as allowed under subpart C of such part (and not to any other subpart).

''(5) ELECTION.—

''(A) IN GENERAL.—An election under this subsection shall be made at such time and in such manner as prescribed by the Secretary, and once effective, may be revoked only with the consent of the Secretary.

''(B) INTERIM ELECTIONS.—Until such time as the Secretary prescribes a manner for making an election under this subsection, a taxpayer is treated as having made a valid election by providing written notification to the Secretary and the Commissioner of Internal Revenue of such election.

''(6) AGGREGATION RULE.—For purposes of this subsection—

''(A) all corporations which are members of an affiliated group of corporations filing a consolidated tax return, and

''(B) all partnerships in which more than 90 percent of the capital and profits interest in the partnership are owned by the corporation (directly or indirectly) at all times during the taxable year in which an election under this subsection is in effect,

shall be treated as a single corporation.

''(7) APPLICATION TO PARTNERSHIPS.—In the case of a partnership—

''(A) this subsection shall be applied at the partner level, and

''(B) each partner shall be treated as having for the taxable year an amount equal to such partner's allocable share of the new domestic investment of the partnership for such taxable year (as determined under regulations prescribed by the Secretary).

''(8) NO DOUBLE BENEFIT.—Notwithstanding clause (iii)(II) of section 172(b)(1)(H), any taxpayer which has previously made an election under such section shall be deemed to have revoked such election by the making of its first election under this subsection.

''(9) REGULATIONS.—The Secretary may issue such regulations or other guidance as may be necessary or appropriate to carry out this subsection, including to prevent fraud and abuse under this subsection.

''(10) TERMINATION.—This subsection shall not apply to any taxable year that begins after December 31, 2010.''.

(b) QUICK REFUND OF REFUNDABLE CREDIT.—Section 6425 is amended by adding at the end the following new subsection:

''(e) ALLOWANCE OF AMT CREDIT ADJUSTMENT AMOUNT.—The amount of an adjustment under this section as determined under subsection (c)(2) for any taxable year may be increased to the extent of the corporation's AMT credit adjustment amount determined under section 53(g) for such taxable year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 603. INFORMATION REPORTING FOR RENTAL PROPERTY EXPENSE PAYMENTS.

(a) IN GENERAL.—Section 6041 is amended by adding at the end the following new subsection:

''(h) TREATMENT OF RENTAL PROPERTY EXPENSE PAYMENTS.—

''(1) IN GENERAL.—For purposes of subsection (a), except as provided in paragraph (2), a person receiving rental income shall be considered to be in engaged in a trade or business of renting property.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to—

''(A) any individual who is an active member of the uniformed services,

''(B) any individual if substantially all rental income is derived from renting the principal residence (within the meaning of section 121) of such individual on a temporary basis,

''(C) any individual who receives rental income of not less than the minimal amount, as determined under regulations prescribed by the Secretary, and

''(D) any other individual for whom the requirements of this section would cause hardship, as determined under regulations prescribed by the Secretary.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made after December 31, 2010.

SA 3351. Mr. REED (for himself, Ms. SNOWE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REAUTHORIZATION OF NATIONAL OILHEAT RESEARCH ALLIANCE ACT OF 2000.

Section 713 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by striking ''the date that is 9 years after the date on which the Alliance is established'' and inserting ''February 6, 2011''.

SA 3352. Mr. GRASSLEY (for himself, Mr. CRAPO, Mr. ROBERTS, Mr. ENSIGN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—MEDICARE AND OTHER PROVISIONS

SEC. 801. CONFORMING REPEAL.

Sections 212 through 231, section 233, section 243, section 431, and section 601 of this Act are repealed.

SEC. 802. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE FOR THE LAST 10 MONTHS OF 2010.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the Department of Defense Appropriations Act, 2010 (Public Law 111–118), is amended to read as follows:

''(10) UPDATE FOR 2010.—

''(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), and (9)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2010, the update to the single conversion factor shall be 0 percent for 2010.

''(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR 2011 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for 2011 and subsequent years as if subparagraph (A) had never applied.''.

SEC. 803. EXTENSION OF THERAPY CAPS EXCEPTIONS PROCESS.

Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

SEC. 804. TREATMENT OF PHARMACIES UNDER DURABLE MEDICAL EQUIPMENT ACCREDITATION REQUIREMENTS.

(a) IN GENERAL.—Section 1834(a)(20) of the Social Security Act (42 U.S.C. 1395m(a)(20)) is amended—

(1) in subparagraph (F)—

(A) in clause (i)—

(i) by striking ''clause (ii)'' and inserting ''clauses (ii) and (iii)'';

(ii) by striking ''January 1, 2010'' and inserting ''January 1, 2011''; and

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

(B) in clause (ii)(II), by striking the period at the end and inserting ''; and'';

(C) by inserting after clause (ii)(II) the following new clause:

''(iii)(I) subject to subclause (II), with respect to items and services furnished on or after January 1, 2011, the accreditation requirement of clause (i) shall not apply to a pharmacy described in subparagraph (G); and

''(II) effective with respect to items and services furnished on or after the date of the enactment of this subparagraph, the Secretary may apply to pharmacies quality standards and an accreditation requirement established by the Secretary that are an alternative to the quality standards and accreditation requirement otherwise applicable under this paragraph if the Secretary determines such alternative quality standards and accreditation requirement are appropriate for pharmacies.''; and

(D) by adding at the end the following flush sentence:

''If determined appropriate by the Secretary, any alternative quality standards and accreditation requirement established under clause (iii)(II) may differ for categories of pharmacies established by the Secretary (such as pharmacies described in subparagraph (G)).''; and

(2) by adding at the end the following new subparagraph:

''(G) PHARMACY DESCRIBED.—A pharmacy described in this subparagraph is a pharmacy that meets each of the following criteria:

''(i) The total billings by the pharmacy for such items and services under this title are less than 5 percent of total pharmacy sales for a previous period (of not less than 24 months) specified by the Secretary.

''(ii) The pharmacy has been enrolled under section 1866(j) as a supplier of durable medical equipment, prosthetics, orthotics, and supplies, has been issued (which may include the renewal of) a provider number for at least 2 years, and for which a final adverse action (as defined in section 424.57(a) of title 42, Code of Federal Regulations) has not been imposed in the past 2 years.

''(iii) The pharmacy submits to the Secretary an attestation, in a form and manner, and at a time, specified by the Secretary, that the pharmacy meets the criteria described in clauses (i) and (ii).

''(iv) The pharmacy agrees to submit materials as requested by the Secretary, or during the course of an audit conducted on a random sample of pharmacies selected annually, to verify that the pharmacy meets the criteria described in clauses (i) and (ii). Materials submitted under the preceding sentence shall include a certification by an independent accountant on behalf of the pharmacy or the submission of tax returns filed by the pharmacy during the relevant periods, as requested by the Secretary.''.

(b) CONFORMING AMENDMENTS.—Section 1834(a)(20)(E) of the Social Security Act (42 U.S.C. 1395m(a)(20)(E)) is amended—

(1) in the first sentence, by striking ''The'' and inserting ''Except as provided in the third sentence, the''; and

(2) by adding at the end the following new sentences: ''Notwithstanding the preceding sentences, any alternative quality standards and accreditation requirement established under subparagraph (F)(iii)(II) shall be established through notice and comment rulemaking. The Secretary may implement by program instruction or otherwise subparagraph (G) after consultation with representatives of relevant parties. The specifications developed by the Secretary in order to implement subparagraph (G) shall be posted on the Internet website of the Centers for Medicare & Medicaid Services.''.

(c) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to this section.

(d) RULE OF CONSTRUCTION.—Nothing in the provisions of, or amendments made by, this section shall be construed as affecting the application of an accreditation requirement for pharmacies to qualify for bidding in a competitive acquisition area under section 1847 of the Social Security Act (42 U.S.C. 1395w–3).

(e) WAIVER OF 1-YEAR REENROLLMENT BAR.—In the case of a pharmacy described in subparagraph (G) of section 1834(a)(20) of the Social Security Act, as added by subsection (a), whose billing privileges were revoked prior to January 1, 2011, by reason of noncompliance with subparagraph (F)(i) of such section, the Secretary of Health and Human Services shall waive any reenrollment bar imposed pursuant to section 424.535(d) of title 42, Code of Federal Regulations (as in effect on the date of the enactment of this Act) for such pharmacy to reapply for such privileges.

SEC. 805. ENHANCED PAYMENT FOR MENTAL HEALTH SERVICES.

Section 138(a)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

SEC. 806. EXTENSION OF AMBULANCE ADD-ONS.

(a) IN GENERAL.—Section 1834(l)(13) of the Social Security Act (42 U.S.C. 1395m(l)(13)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''before January 1, 2010'' and inserting ''before January 1, 2011''; and

(B) in each of clauses (i) and (ii), by striking ''before January 1, 2010'' and inserting ''before January 1, 2011''.

(b) AIR AMBULANCE IMPROVEMENTS.—Section 146(b)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275) is amended by striking ''ending on December 31, 2009'' and inserting ''ending on December 31, 2010''.

(c) SUPER RURAL AMBULANCE.—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended—

(1) in the first sentence, by striking ''2010'' and inserting ''2011''; and

(2) by adding at the end the following new sentence: ''For purposes of applying this subparagraph for ground ambulance services furnished on or after January 1, 2010, and before January 1, 2011, the Secretary shall use the percent increase that was applicable under this subparagraph to ground ambulance services furnished during 2009.''.

SEC. 807. EXTENSION OF GEOGRAPHIC FLOOR FOR WORK.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking ''before January 1, 2010'' and inserting ''before January 1, 2011''.

SEC. 808. EXTENSION OF PAYMENT FOR TECHNICAL COMPONENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES.

Section 542(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554), as amended by section 732 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395w–4 note), section 104 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395w–4 note), section 104 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), and section 136 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), is amended by striking ''and 2009'' and inserting ''2009, and 2010''.

SEC. 809. EXTENSION OF OUTPATIENT HOLD HARMLESS PROVISION.

(a) IN GENERAL.—Section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)) is amended—

(1) in subclause (II)—

(A) in the first sentence, by striking ''2010''and inserting ''2011''; and

(B) in the second sentence, by striking ''or 2009'' and inserting '', 2009, or 2010''; and

(2) in subclause (III), by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

(b) PERMITTING ALL SOLE COMMUNITY HOSPITALS TO BE ELIGIBLE FOR HOLD HARMLESS.—Section 1833(t)(7)(D)(i)(III) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)(III)) is amended by adding at the end the following new sentence: ''In the case of covered OPD services furnished on or after January 1, 2010, and before January 1, 2011, the preceding sentence shall be applied without regard to the 100-bed limitation.''.

SEC. 810. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w–4(o)(1)(C)(ii)) is amended by striking ''setting (whether inpatient or outpatient)'' and inserting ''inpatient or emergency room setting''.

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking ''setting (whether inpatient or outpatient)'' and inserting ''inpatient or emergency room setting''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement the amendments made by this section by program instruction or otherwise.

SEC. 811. EXTENSION OF REIMBURSEMENT FOR ALL MEDICARE PART B SERVICES FURNISHED BY CERTAIN INDIAN HOSPITALS AND CLINICS.

Section 1880(e)(1)(A) of the Social Security Act (42 U.S.C. 1395qq(e)(1)(A)) is amended by striking ''5-year period'' and inserting ''6-year period''.

SEC. 812. EXTENSION OF CERTAIN PAYMENT RULES FOR LONG-TERM CARE HOSPITAL SERVICES AND OF MORATORIUM ON THE ESTABLISHMENT OF CERTAIN HOSPITALS AND FACILITIES.

(a) EXTENSION OF CERTAIN PAYMENT RULES.—Section 114(c) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by section 4302(a) of the American Recovery and Reinvestment Act (Public Law 111–5), is amended by striking ''3-year period'' each place it appears and inserting ''4-year period''.

(b) EXTENSION OF MORATORIUM.—Section 114(d)(1) of such Act (42 U.S.C. 1395ww note), as amended by section 4302(b) of the American Recovery and Reinvestment Act (Public Law 111–5), in the matter preceding subparagraph (A), is amended by striking ''3-year period'' and inserting ''4-year period''.

SEC. 813. EXTENSION OF THE MEDICARE RURAL HOSPITAL FLEXIBILITY PROGRAM.

Section 1820(j) of the Social Security Act (42 U.S.C. 1395i–4(j)) is amended—

(1) by striking ''2010, and for'' and inserting ''2010, for''; and

(2) by inserting ''and for making grants to all States under subsection (g), such sums as may be necessary in fiscal year 2011, to remain available until expended'' before the period at the end.

SEC. 814. EXTENSION OF SECTION 508 HOSPITAL RECLASSIFICATIONS.

(a) IN GENERAL.—Subsection (a) of section 106 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395 note), as amended by section 117 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173) and section 124 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), is amended by striking ''September 30, 2009'' and inserting ''September 30, 2010''.

(b) SPECIAL RULE FOR FISCAL YEAR 2010.—For purposes of implementation of the amendment made by subsection (a), including (notwithstanding paragraph (3) of section 117(a) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), as amended by section 124(b) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275)) for purposes of the implementation of paragraph (2) of such section 117(a), during fiscal year 2010, the Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall use the hospital wage index that was promulgated by the Secretary in the Federal Register on August 27, 2009 (74 Fed. Reg. 43754), and any subsequent corrections.

SEC. 815. TECHNICAL CORRECTION RELATED TO CRITICAL ACCESS HOSPITAL SERVICES.

(a) IN GENERAL.—Subsections (g)(2)(A) and (l)(8) of section 1834 of the Social Security Act (42 U.S.C. 1395m) are each amended by inserting ''101 percent of'' before ''the reasonable costs''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of section 405(a) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2266).

SEC. 816. EXTENSION FOR SPECIALIZED MA PLANS FOR SPECIAL NEEDS INDIVIDUALS.

(a) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by striking ''2011'' and inserting ''2012''.

(b) TEMPORARY EXTENSION OF AUTHORITY TO OPERATE BUT NO SERVICE AREA EXPANSION FOR DUAL SPECIAL NEEDS PLANS THAT DO NOT MEET CERTAIN REQUIREMENTS.—Section 164(c)(2) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2011''.

SEC. 817. EXTENSION OF REASONABLE COST CONTRACTS.

Section 1876(h)(5)(C)(ii) of the Social Security Act (42 U.S.C. 1395mm(h)(5)(C)(ii)) is amended, in the matter preceding subclause (I), by striking ''January 1, 2010'' and inserting ''January 1, 2011''.

SEC. 818. EXTENSION OF PARTICULAR WAIVER POLICY FOR EMPLOYER GROUP PLANS.

For plan year 2011 and subsequent plan years, to the extent that the Secretary of Health and Human Services is applying the 2008 service area extension waiver policy (as modified in the April 11, 2008, Centers for Medicare & Medicaid Services' memorandum with the subject ''2009 Employer Group Waiver-Modification of the 2008 Service Area Extension Waiver Granted to Certain MA Local Coordinated Care Plans'') to Medicare Advantage coordinated care plans, the Secretary shall extend the application of such waiver policy to employers who contract directly with the Secretary as a Medicare Advantage private fee-for-service plan under section 1857(i)(2) of the Social Security Act (42 U.S.C. 1395w–27(i)(2)) and that had enrollment as of January 1, 2010.

SEC. 819. EXTENSION OF CONTINUING CARE RETIREMENT COMMUNITY PROGRAM.

Notwithstanding any other provision of law, the Secretary of Health and Human Services shall continue to conduct the Erickson Advantage Continuing Care Retirement Community (CCRC) program under part C of title XVIII of the Social Security Act through December 31, 2011.

SEC. 820. FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.

(a) ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note) is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Centers for Medicare & Medicaid Services Program Management Account—

''(i) for fiscal year 2009, of $7,500,000; and

''(ii) for fiscal year 2010, of $6,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

(b) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—Subsection (b)(1)(B) of such section 119 is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Administration on Aging—

''(i) for fiscal year 2009, of $7,500,000; and

''(ii) for fiscal year 2010, of $6,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

(c) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119 is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Administration on Aging—

''(i) for fiscal year 2009, of $5,000,000; and

''(ii) for fiscal year 2010, of $6,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

(d) ADDITIONAL FUNDING FOR CONTRACT WITH THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.—Subsection (d)(2) of such section 119 is amended by striking ''(42 U.S.C. 1395w–23(f))'' and all that follows through the period at the end and inserting ''(42 U.S.C. 1395w–23(f)), to the Administration on Aging—

''(i) for fiscal year 2009, of $5,000,000; and

''(ii) for fiscal year 2010, of $2,000,000.

Amounts appropriated under this subparagraph shall remain available until expended.''.

SEC. 821. FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c)(1)(A)(iii) of the Social Security Act (42 U.S.C. 701(c)(1)(A)(iii)) is amended by striking ''fiscal year 2009'' and inserting ''each of fiscal years 2009 through 2011''.

SEC. 822. IMPLEMENTATION FUNDING.

For purposes of carrying out the provisions of, and amendments made by, this title that relate to titles XVIII and XIX of the Social Security Act, there are appropriated to the Secretary of Health and Human Services for the Centers for Medicare & Medicaid Services Program Management Account, from amounts in the general fund of the Treasury not otherwise appropriated, $100,000,000. Amounts appropriated under the preceding sentence shall remain available until expended.

SEC. 823. STATE COURT IMPROVEMENT PROGRAM.

Section 438 of the Social Security Act (42 U.S.C. 629h) is amended—

(1) in subsection (c)(2)(A), by striking ''2010'' and inserting ''2011''; and

(2) in subsection (e), by striking ''2010'' and inserting ''2011''.

SEC. 824. EXTENSION OF GAINSHARING DEMONSTRATION.

(a) IN GENERAL.—Subsection (d)(3) of section 5007 of the Deficit Reduction Act of 2005 (Public Law 109–171) is amended by inserting ''(or 21 months after the date of the enactment of the American Workers, State, and Business Relief Act of 2010, in the case of a demonstration project in operation as of October 1, 2008)'' after ''December 31, 2009''.

(b) FUNDING.—

(1) IN GENERAL.—Subsection (f)(1) of such section is amended by inserting ''and for fiscal year 2010, $1,600,000,'' after ''$6,000,000,''.

(2) AVAILABILITY.—Subsection (f)(2) of such section is amended by striking ''2010'' and inserting ''2014 or until expended''.

(c) REPORTS.—

(1) QUALITY IMPROVEMENT AND SAVINGS.—Subsection (e)(3) of such section is amended by striking ''December 1, 2008'' and inserting ''18 months after the date of the enactment of the American Workers, State, and Business Relief Act of 2010''.

(2) FINAL REPORT.—Subsection (e)(4) of such section is amended by striking ''May 1, 2010'' and inserting ''42 months after the date of the enactment of the American Workers, State, and Business Relief Act of 2010''.

SEC. 825. REVISION TO THE MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)), as amended by section 1011(b) of the Department of Defense Appropriations Act, 2010 (Public Law 111–118), is amended—

(1) in subparagraph (A), by striking ''$20,740,000,000'' and inserting ''$2,940,000,000''; and

(2) in subparagraph (B), by striking ''$550,000,000'' and inserting ''$4,550,000,000''.

SA 3353. Mr. SANDERS (for himself, Mr. DODD, Mr. WHITEHOUSE, Mr. LEAHY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follow:

On page 268, between lines 11 and 12, insert the following:

SEC. ___. EXTENSION AND MODIFICATION OF CERTAIN ECONOMIC RECOVERY PAYMENTS.

(a) SHORT TITLE.—This section may be cited as the ''Emergency Senior Citizens Relief Act of 2010''.

(b) EXTENSION AND MODIFICATION OF PAYMENTS.—Section 2201 of the American Recovery and Reinvestment Tax Act of 2009 is amended—

(1) in subsection (a)(1)(A)—

(A) by inserting ''for each of calendar years 2009 and 2010'' after ''shall disburse'',

(B) by inserting ''(for purposes of payments made for calendar year 2009), or the 3-month period ending with the month which ends prior to the month that includes the date of the enactment of the Emergency Senior Citizens Relief Act of 2010 (for purposes of payments made for calendar year 2010)'' after ''the date of the enactment of this Act'', and

(C) by adding at the end the following new sentence: ''In the case of an individual who is eligible for a payment under the preceding sentence by reason of entitlement to a benefit described in subparagraph (B)(i), no such payment shall be made to such individual for calendar year 2010 unless such individual was paid a benefit described in such subparagraph (B)(i) for any month in the 12-month period ending with the month which ends prior to the month that includes the date of the enactment of the Emergency Senior Citizens Relief Act of 2010.'',

(2) in subsection (a)(1)(B)(iii), by inserting ''(for purposes of payments made under this paragraph for calendar year 2009), or the 3-month period ending with the month which ends prior to the month that includes the date of the enactment of the Emergency Senior Citizens Relief Act of 2010 (for purposes of payments made under this paragraph for calendar year 2010)'' before the period at the end,

(3) in subsection (a)(2)—

(A) by inserting '', or who are utilizing a foreign or domestic Army Post Office, Fleet Post Office, or Diplomatic Post Office address'' after ''Northern Mariana Islands'', and

(B) by striking ''current address of record'' and inserting ''address of record, as of the date of certification under subsection (b) for a payment under this section'',

(4) in subsection (a)(3)—

(A) by inserting ''per calendar year (determined with respect to the calendar year for which the payment is made, and without regard to the date such payment is actually paid to such individual)'' after ''only 1 payment under this section'', and

(B) by inserting ''FOR THE SAME YEAR'' after ''PAYMENTS'' in the heading thereof,

(5) in subsection (a)(4)—

(A) by inserting ''(or, in the case of subparagraph (D), shall not be due)'' after ''made'' in the matter preceding subparagraph (A),

(B) by striking subparagraph (A) and inserting the following:

''(A) in the case of an individual entitled to a benefit specified in paragraph (1)(B)(i) or paragraph (1)(B)(ii)(VIII) if—

''(i) for the most recent month of such individual's entitlement in the applicable 3-month period described in paragraph (1); or

''(ii) for any month thereafter which is before the month after the month of the payment;

such individual's benefit under such paragraph was not payable by reason of subsection (x) or (y) of section 202 of the Social Security Act (42 U.S.C. 402) or section 1129A of such Act (42 U.S.C. 1320a–8a);'',

(C) in subparagraph (B), by striking ''3 month period'' and inserting ''applicable 3-month period'',

(D) by striking subparagraph (C) and inserting the following:

''(C) in the case of an individual entitled to a benefit specified in paragraph (1)(C) if—

''(i) for the most recent month of such individual's eligibility in the applicable 3-month period described in paragraph (1); or

''(ii) for any month thereafter which is before the month after the month of the payment;

such individual's benefit under such paragraph was not payable by reason of subsection (e)(1)(A) or (e)(4) of section 1611 (42 U.S.C. 1382) or section 1129A of such Act (42 U.S.C. 1320a–8a); or'',

(E) by striking subparagraph (D) and inserting the following:

''(D) in the case of any individual whose date of death occurs—

''(i) before the date of the receipt of the payment; or

''(ii) in the case of a direct deposit, before the date on which such payment is deposited into such individual's account.'',

(F) by adding at the end the following flush sentence:

''In the case of any individual whose date of death occurs before a payment is negotiated (in the case of a check) or deposited (in the case of a direct deposit), such payment shall not be due and shall not be reissued to the estate of such individual or to any other person.'', and

(G) by adding at the end, as amended by subparagraph (F), the following new sentence: ''Subparagraphs (A)(ii) and (C)(ii) shall apply only in the case of certifications under subsection (b) which are, or but for this paragraph would be, made after the date of the enactment of Emergency Senior Citizens Relief Act of 2010, and shall apply to such certifications without regard to the calendar year of the payments to which such certifications apply.''.

(6) in subsection (a)(5)—

(A) by inserting '', in the case of payments for calendar year 2009, and no later than 120 days after the date of the enactment of the Emergency Senior Citizens Relief Act of 2010, in the case of payments for calendar year 2010'' before the period at the end of the first sentence of subparagraph (A), and

(B) by striking subparagraph (B) and inserting the following:

''(B) DEADLINE.—No payment for calendar year 2009 shall be disbursed under this section after December 31, 2010, and no payment for calendar year 2010 shall be disbursed under this section after December 31, 2011, regardless of any determinations of entitlement to, or eligibility for, such payment made after whichever of such dates is applicable to such payment.'',

(7) in subsection (b), by inserting ''(except that such certification shall be affected by a

determination that an individual is an individual described in subparagraph (A), (B), (C), or (D) of subsection (a)(4) during a period described in such subparagraphs), and no individual shall be certified to receive a payment under this section for a calendar year if such individual has at any time been denied certification for such a payment for such calendar year by reason of subparagraph (A)(ii) or (C)(ii) of subsection (a)(4) (unless such individual is subsequently determined not to have been an individual described in either such subparagraph at the time of such denial)'' before the period at the end of the last sentence,

(8) in subsection (c), by striking paragraph (4) and inserting the following:

''(4) PAYMENTS SUBJECT TO OFFSET AND RECLAMATION.—Notwithstanding paragraph (3), any payment made under this section—

''(A) shall, in the case of a payment by direct deposit which is made after the date of the enactment of the Emergency Senior Citizens Relief Act of 2010, be subject to the reclamation provisions under subpart B of part 210 of title 31, Code of Federal Regulations (relating to reclamation of benefit payments); and

''(B) shall not, for purposes of section 3716 of title 31, United States Code, be considered a benefit payment or cash benefit made under the applicable program described in subparagraph (B) or (C) of subsection (a)(1), and all amounts paid shall be subject to offset under such section 3716 to collect delinquent debts.'',

(9) in subsection (e)—

(A) by striking ''2011'' and inserting ''2012'',

(B) by inserting ''section _____(c) of the Emergency Senior Citizens Relief Act of 2010,'' after ''section 2202,'' in paragraph (1), and

(C) by adding at the following new paragraph:

''(5)(A) For the Secretary of the Treasury, an additional $5,200,000 for purposes described in paragraph (1).

''(B) For the Commissioner of Social Security, an additional $5,000,000 for the purposes described in paragraph (2)(B).

''(C) For the Railroad Retirement Board, an additional $600,000 for the purposes described in paragraph (3)(B).

''(D) For the Secretary of Veterans Affairs, an additional $625,000 for the Information Systems Technology account''.

(c) EXTENSION OF SPECIAL CREDIT FOR CERTAIN GOVERNMENT RETIREES.—

(1) IN GENERAL.—In the case of an eligible individual (as defined in section 2202(b) of the American Recovery and Reinvestment Tax Act of 2009, applied by substituting ''2010'' for ''2009''), with respect to the first taxable year of such individual beginning in 2010, section 2202 of the American Recovery and Reinvestment Tax Act of 2009 shall be applied by substituting ''2010'' for ''2009'' each place it appears.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 36A of the Internal Revenue Code of 1986 is amended by inserting '', and any credit allowed to the taxpayer under section _____(c)(1) of the Emergency Senior Citizens Relief Act of 2010'' after ''the American Recovery and Reinvestment Tax Act of 2009''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) APPLICATION OF RULE RELATING TO DECEASED INDIVIDUALS.—The amendment made by subsection (a)(5)(F) shall take effect as if included in section 2201 of the American Recovery and Reinvestment Tax Act of 2009.

(e) EMERGENCY DESIGNATION.—For purposes of Senate enforcement, this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 403 of S. Con Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 3354. Mr. WHITEHOUSE (for himself, Mr. SCHUMER, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

On page 269, after line 6, insert the following:

SEC. 801. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Energy Efficiency in Housing Act of 2010''.

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

Sec. 801. Short title and table of contents.
Sec. 802. Findings and purposes.
Sec. 803. Definitions.
Sec. 804. Implementation of energy efficiency participation incentives for HUD programs.
Sec. 805. Incentives for energy efficient mortgages and location efficient mortgages.
Sec. 806. Mortgage incentives for energy efficient multifamily housing.
Sec. 807. Energy efficiency and conservation demonstration program for multifamily housing projects assisted with project-based rental assistance.
Sec. 808. Additional credit for Fannie Mae and Freddie Mac housing goals for energy efficient mortgages.
Sec. 809. Duty to serve underserved markets for energy efficient and location efficient mortgages.
Sec. 810. Consideration of energy efficiency under FHA mortgage insurance programs and Native American and Native Hawaiian loan guarantee programs.
Sec. 811. Energy efficient mortgages education and outreach campaign.
Sec. 812. Collection of information on energy efficient and location efficient mortgages through Home Mortgage Disclosure Act.
Sec. 813. Energy efficiency certifications for housing with mortgages insured by FHA.
Sec. 814. Assisted housing energy loan pilot program.
Sec. 815. HOPE VI green developments requirement.
Sec. 816. Consideration of energy efficiency improvements in appraisals.
Sec. 817. Additional requirements for the Housing Assistance Council.
Sec. 818. Rural housing and economic development assistance.
Sec. 819. Revolving fund for loans to States and Indian tribes to carry out renewable energy sources activities.
Sec. 820. Competitive grant program to increase sustainable low-income community development capacity.
Sec. 821. Insurance coverage for loans for financing of renewable energy systems leased for residential use.
Sec. 822. Green banking centers.
Sec. 823. GAO reports on availability of affordable mortgages.
Sec. 824. Public housing energy cost report.

SEC. 802. FINDINGS AND PURPOSES.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) making the United States energy efficient is essential for enhancing national security, fighting climate change, and creating jobs;

(2) unchecked use of energy resources poses a significant threat to the national security, economy, public health, and welfare of the people of the United States, the well-being of other nations, and the global environment;

(3) prompt, decisive action is critical to encourage energy efficiency and conservation and the development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities; and

(4) it is possible and desirable to reduce energy consumption in the United States while employing—

(A) cost containment measures;

(B) periodic review of requirements;

(C) an aggressive program for deploying advanced energy technology; and

(D) programs to assist low- and middle-income energy consumers.

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

(1) to encourage the use of energy efficiency and conservation methods in Federal housing programs;

(2) to expand the use of energy efficient mortgages;

(3) to provide for the development and installation of renewable energy sources for housing, commercial structures, and other buildings;

(4) to create sustainable communities;

(5) to support the creation of a stable ''green jobs'' sector by increasing demand for energy efficient products and professionals with expertise in green building standards; and

(6) to achieve these goals while preserving the development, benefits, and affordability of Federal housing programs.

SEC. 803. DEFINITIONS.

In this title, the following definitions shall apply:

(1) ENERGY AUDIT.—The term ''energy audit'' means an investment grade energy audit conducted for purposes of paragraph (2)(B)(iii), in accordance with such standards as the Secretary shall establish, after optional consultation with any advisory committee established pursuant to section 807(c)(2) of this title.

(2) ENHANCED ENERGY EFFICIENCY STANDARDS.—The term ''enhanced energy efficiency standards'' means any one of the following:

(A) GREEN BUILDING STANDARDS.—Green building standards, as that term is defined in paragraph (3).

(B) RESIDENTIAL STRUCTURES.—In the case of a residential single family or multifamily structure, standards established by the Secretary, by regulation, that—

(i) impose requirements additional to, or more stringent than, minimum energy efficiency standards, as that term is defined in paragraph (6);

(ii) in the case of a newly constructed structure, are identical to the Energy Star standards established by the Environmental Protection Agency, or any successor thereto adopted by the Secretary by regulation;

(iii) in the case of an existing structure, require a reduction in energy consumption from the previous level of consumption for the structure, as determined in accordance with energy audits performed both before and after any rehabilitation or improvements undertaken to reduce such consumption, that exceeds the reduction necessary for compliance with minimum energy efficiency standards.

(C) NONRESIDENTIAL STRUCTURES.—In the case of a nonresidential structure, include such energy efficiency and conservation requirements, standards, checklists, or rating systems for nonresidential structures as the Secretary determines are necessary.

(3) GREEN BUILDING STANDARDS.—The term ''green building standards'' means systems and standards for residential and nonresidential structures that are established or adopted by the Secretary, by regulation, and that—

(A) require the use of sustainable design principles to—

(i) reduce the use of nonrenewable resources;

(ii) encourage energy efficient construction and rehabilitation and the use of renewable energy resources;

(iii) minimize the impact of development on the environment;

(iv) improve indoor air quality;

(v) maximize water conservation; and

(vi) encourage the selection of building materials that reduce adverse impacts on the environment;

(B) impose requirements additional to, or more stringent than, minimum energy efficiency standards, as that term is defined in paragraph (6);

(C) include—

(i) the national Green Communities criteria checklist for residential construction, which provides criteria for the design, development, and operation of affordable housing, or any successor thereto adopted by the Secretary by regulation;

(ii) the Leadership in Energy and Environmental Design (LEED) certification for new construction, the LEED for Homes rating system, the LEED for Core and Shell rating system, as applicable, or any successors thereto adopted by the Secretary by regulation;

(iii) the Green Globes assessment and rating system of the Green Building Initiative;

(iv) in the case of manufactured housing, the Energy Star standards established by the Environmental Protection Agency with respect to fixtures, appliances, and equipment in such housing, or any successor thereto adopted by the Secretary by regulation;

(v) the National Green Building Standard, only—

(I) if such standard is ratified under the American National Standards Institute process;

(II) upon expiration of the 180-day period beginning upon such ratification; and

(III) if, during such 180-day period, the Secretary does not reject the applicability of such standard for purposes of this paragraph; and

(vi) any other requirement, standard, checklist, or rating system for green building or sustainability that the Secretary—

(I) determines is necessary for a specific type of residential single family or multifamily structure; or

(II) may determine to adopt or apply not later than 180 days after the date of receipt of any written request, made in such form as the Secretary shall provide, for such adoption and application; and

(D) may be waived by the Secretary, if the Secretary determines that waiver of such regulations would promote enhanced energy efficiency or conservation.

(4) HUD.—The term ''HUD'' means the Department of Housing and Urban Development.

(5) HUD ASSISTANCE.—The term ''HUD assistance'' means financial assistance that is awarded, competitively or noncompetitively, allocated by formula, or provided by HUD through loan insurance or guarantee.

(6) MINIMUM ENERGY EFFICIENCY STANDARDS.—

(A) IN GENERAL.—The term ''minimum energy efficiency standards'' has the meaning given that term by regulations of the Secretary.

(B) REGULATIONS FOR RESIDENTIAL STRUCTURES.—Regulations issued by the Secretary under subparagraph (A) shall, in the case of a residential single family or multifamily structure—

(i) require the structure to comply with the applicable provisions of the American Society of Heating, Refrigerating, and Air-Conditioning Engineers Standard 90.1–2007, or any successor thereto adopted by the Secretary, by regulation;

(ii) require the structure to comply with the applicable provisions of the 2009 International Energy Conservation Code, or any successor thereto adopted by the Secretary, by regulation;

(iii) in the case of an existing structure—

(I) where the Secretary determines such action is cost effective, require—

(aa) the structure to have undergone rehabilitation or improvements that are completed after the date of enactment of this title; and

(bb) the energy consumption for the structure to have been reduced by not less than 20 percent from the previous level of consumption, as determined in accordance with energy audits performed both before and after any rehabilitation or improvements undertaken to reduce such consumption;

(II) if the structure has 4 stories or more, require the structure to demonstrate a 20 percent improvement in the proposed building performance rating when compared to a baseline building performance rating resulting from a whole building project simulation conducted in accordance with the Building Performance Rating Method in Appendix G of American Society of Heating, Refrigerating, and Air-Conditioning Engineers Standard 90.1–2004, or any successor thereto adopted by the Secretary, by regulation; and

(III) if the structure has fewer than 4 stories, require the structure to demonstrate, by modeling based on the Home Energy Rating System Index of the Residential Energy Services Network, a 20 percent improvement in the proposed building performance rating; and

(iv) require the structure to comply with any provisions of such other energy efficiency requirements, standards, checklists, or ratings systems as the Secretary determines are necessary for a specific type of residential single family or multifamily structure; and

(C) REGULATIONS FOR NONRESIDENTIAL STRUCTURES.—Regulations issued by the Secretary under subparagraph (a) shall, in the case of a nonresidential structure that is constructed or rehabilitated with HUD assistance—

(i) require the structure to be not less than 30 percent more energy efficient than required by local residential and commercial building codes regarding energy efficiency; and

(ii) require the structure to comply with such additional energy efficiency requirements, standards, checklists, or rating systems as the Secretary determines are applicable to nonresidential structures.

(7) NONRESIDENTIAL STRUCTURES.—The term ''nonresidential structures'' means only nonresidential structures that are appurtenant to single family or multifamily housing residential structures, or those that are funded by the Secretary through the HUD Community Development Block Grant program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

(8) SECRETARY.—The term ''Secretary'', unless otherwise specified, means the Secretary of Housing and Urban Development.

SEC. 804. IMPLEMENTATION OF ENERGY EFFICIENCY PARTICIPATION INCENTIVES FOR HUD PROGRAMS.

Not later than 180 days after the date of enactment of this title, the Secretary shall issue such regulations as may be necessary to establish annual energy efficiency participation incentives to encourage participants in programs administered by the Secretary, including recipients under programs for which HUD assistance is provided, to achieve substantial improvements in energy efficiency.

SEC. 805. INCENTIVES FOR ENERGY EFFICIENT MORTGAGES AND LOCATION EFFICIENT MORTGAGES.

(a) IN GENERAL.—The Secretary shall establish budget-neutral incentives for encouraging lenders to make, and homebuyers and homeowners to participate in, energy efficient mortgages and location efficient mortgages.

(b) INCENTIVES.—The incentives required under subsection (a) may include—

(1) fee reductions;

(2) fee waivers;

(3) interest rate reductions; and

(4) adjustment of mortgage qualifications.

(c) ADDITIONAL CONSIDERATION.—In establishing the incentives required under subsection (a), the Secretary shall consider the lower risk of default on energy efficient mortgages and location efficient mortgages in comparison to mortgages that are not energy efficient or location efficient.

(d) DEFINITIONS.—The terms ''energy efficient mortgage'' and ''location efficient mortgage'' have the same meaning as in section 1335(e) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4565(e)) (as added by section 808 of this title).

SEC. 806. MORTGAGE INCENTIVES FOR ENERGY EFFICIENT MULTIFAMILY HOUSING.

(a) IN GENERAL.—The Secretary shall establish—

(1) incentives for increasing the energy efficiency of multifamily housing that is subject to a mortgage to be insured under title II of the National Housing Act (12 U.S.C. 1707 et seq.) so that such housing meets minimum energy standards; and

(2) incentives to encourage compliance of such housing with enhanced energy efficiency standards, to the extent that such incentives are based on the impact that savings on utility costs have on the operating costs of the housing, as determined by the Secretary.

(b) INCENTIVES.—The incentives required under subsection (a) may include, for any such multifamily housing that meets minimum energy efficiency standards—

(1) providing a discount on the chargeable premiums for the mortgage insurance for such housing from the amount otherwise chargeable for such mortgage insurance;

(2) allowing mortgages to exceed the dollar amount limits otherwise applicable under law to the extent such additional amounts are used to finance improvements or measures designed to meet the standards referred to in subsection (a); and

(3) reducing the amount that the owner of such multifamily housing is required to contribute.

SEC. 807. ENERGY EFFICIENCY AND CONSERVATION DEMONSTRATION PROGRAM FOR MULTIFAMILY HOUSING PROJECTS ASSISTED WITH PROJECT-BASED RENTAL ASSISTANCE.

(a) AUTHORITY.—

(1) IN GENERAL.—For multifamily housing projects for which project-based rental assistance is provided under a covered multifamily assistance program, the Secretary

shall, subject to the availability of amounts provided in advance in appropriation Acts, carry out a program to demonstrate the effectiveness of funding a portion of the costs of meeting enhanced energy efficiency standards.

(2) INDIAN HOUSING.—At the discretion of the Secretary, the demonstration program required under paragraph (1) may include incentives for housing that is assisted with Indian housing block grants provided pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), but only to the extent that such inclusion does not violate such Act, regulations promulgated pursuant to such Act, and the goal of such Act of tribal self-determination.

(b) GOALS.—The demonstration program under this section shall be carried out in a manner that—

(1) protects the financial interests of the Federal Government;

(2) reduces the proportion of funds provided by the Federal Government and by owners and residents of multifamily housing projects that are used for costs of utilities for such projects;

(3) encourages energy efficiency and conservation by owners and residents of multifamily housing projects and installation of renewable energy improvements, such as improvements providing for use of solar, wind, geothermal, or biomass energy sources;

(4) creates incentives for project owners to carry out such energy efficiency renovations and improvements by allowing a portion of the savings in operating costs resulting from such renovations and improvements to be retained by the project owner, notwithstanding otherwise applicable limitations on dividends;

(5) allows project owners and tenants to share the savings in operating costs resulting from such renovations and improvements in accordance with an appropriate ratio;

(6) promotes the installation, in existing residential buildings, of energy efficient and cost-effective improvements and renewable energy improvements, such as improvements providing for use of solar, wind, geothermal, or biomass energy sources;

(7) tests the efficacy of a variety of energy efficiency measures for multifamily housing projects of various sizes and in various geographic locations;

(8) tests methods for addressing the various, and often competing, incentives that impede owners and residents of multifamily housing projects from working together to achieve energy efficiency or conservation; and

(9) creates a database of energy efficiency and conservation, and renewable energy, techniques, energy savings management practices, and energy efficiency and conservation financing vehicles.

(c) APPROACHES.—In carrying out the demonstration program under this section, the Secretary may take the following actions:

(1) Enter into agreements with the Building America Program of the Department of Energy and other consensus committees under which such programs, partnerships, or committees assume some or all of the functions, obligations, and benefits of the Secretary with respect to energy savings.

(2) Establish advisory committees to advise the Secretary and any such third party partners on technological and other developments in the area of energy efficiency and the creation of an energy efficiency and conservation credit facility and other financing opportunities that—

(A) include representatives of homebuilders, realtors, architects, nonprofit housing organizations, environmental protection organizations, renewable energy organizations, State housing finance agencies, and advocacy organizations for low-income individuals, the elderly, and persons with disabilities; and

(B) are not subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(3) Develop a competitive process for the award of such additional assistance for multifamily housing projects seeking to implement energy efficiency, renewable energy sources, or conservation measures.

(4) Waive or modify any existing Federal regulatory provision that would otherwise impair the implementation or effectiveness of the demonstration program under this section, including provisions relating to methods for rent adjustments, comparability standards, maximum rent schedules, and utility allowances. Notwithstanding the preceding provisions of this paragraph, the Secretary may not waive any statutory requirement relating to fair housing, nondiscrimination, labor standards, or the environment, except pursuant to existing authority to waive nonstatutory environmental and other applicable requirements.

(d) REQUIREMENT.—During the 4-year period beginning 12 months after the date of enactment of this title, the Secretary shall carry out demonstration programs under this section with respect to not fewer than 50,000 dwelling units.

(e) SELECTION.—

(1) SCOPE.—

(A) IN GENERAL.—In order to provide a broad and representative profile for use in designing a program which can become operational and effective nationwide, the Secretary shall carry out the demonstration program under this section with respect to dwelling units located in a wide variety of geographic areas and project types assisted by the various covered multifamily assistance programs and using a variety of energy efficiency and conservation and funding techniques to reflect differences in climate, types of dwelling units, technical and scientific methodologies, and financing options.

(B) INDIAN LANDS.—The Secretary shall ensure that the geographic areas included in the demonstration program under this section include dwelling units on Indian lands (as that term is defined in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501)), to the extent that dwelling units on Indian land have the type of residential structures that are the focus of the demonstration program.

(2) PRIORITY.—The Secretary shall provide priority for selection for participation in the program under this section based on the extent to which, as a result of assistance provided, the project will meet minimum energy efficiency standards or enhanced energy efficiency standards.

(f) USE OF EXISTING PARTNERSHIPS.—To the extent feasible, the Secretary shall—

(1) utilize the Partnership for Advancing Technology in Housing of the Department of Housing and Urban Development to assist in carrying out the requirements of this section and to provide education and outreach regarding the demonstration program authorized under this section; and

(2) consult with the Secretary of Energy, the Administrator of the Environmental Protection Agency, and the Secretary of the Army regarding utilizing the Building America Program of the Department of Energy, the Energy Star Program, and the Army Corps of Engineers, respectively, to determine the manner in which such programs might assist in carrying out the goals of this section and providing education and outreach regarding the demonstration program authorized under this section.

(g) REPORTS.—

(1) ANNUAL REPORT.—Not later than 2 years after the date of enactment of this title, and for each year thereafter during the term of the demonstration program, the Secretary shall submit to Congress a report that describes and assesses the demonstration program under this section.

(2) FINAL REPORT.—Not later than 6 months after the expiration of the 4-year period described in subsection (d), the Secretary shall submit to Congress a final report assessing the demonstration program that—

(A) assesses the potential for expanding the demonstration program on a nationwide basis; and

(B) includes descriptions of—

(i) the size of each multifamily housing project for which assistance was provided under the program;

(ii) the geographic location of each project assisted, by State and region;

(iii) the criteria used to select the projects for which assistance is provided under the program;

(iv) the energy efficiency and conservation measures and financing sources used for each project that is assisted under the program;

(v) the difference, before and during participation in the demonstration program, in the amount of the monthly assistance payments under the covered multifamily assistance program for each project assisted under the program;

(vi) the average length of the term of the assistance provided under the program for a project;

(vii) the aggregate amount of savings generated by the demonstration program and the amount of savings expected to be generated by the program over time on a per-unit and aggregate program basis;

(viii) the functions performed in connection with the implementation of the demonstration program that were transferred or contracted out to any third parties;

(ix) an evaluation of the overall successes and failures of the demonstration program; and

(x) recommendations for any actions to be taken as a result of such successes and failures.

(3) CONTENTS.—Each annual report pursuant to paragraph (1) and the final report pursuant to paragraph (2) shall include—

(A) a description of the status of each multifamily housing project selected for participation in the demonstration program under this section; and

(B) findings from the program and recommendations for any legislative actions.

(h) COVERED MULTIFAMILY ASSISTANCE PROGRAM.—For purposes of this section, the term ''covered multifamily assistance program'' means—

(1) the program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) for project-based rental assistance;

(2) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) for assistance for supportive housing for the elderly;

(3) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) for supportive housing for persons with disabilities; and

(4) the program for assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year in which the demonstration program under this section is carried out.

(j) REGULATIONS.—Not later than 180 days after the date of enactment of this title, the Secretary shall issue any regulations necessary to carry out this section.

SEC. 808. ADDITIONAL CREDIT FOR FANNIE MAE AND FREDDIE MAC HOUSING GOALS FOR ENERGY EFFICIENT MORTGAGES.

Section 1336(a) of the Housing and Community Development Act of 1992 (12 U.S.C. 4566(a)) is amended—

(1) in paragraph (2), by striking ''paragraph (5)'' and inserting ''paragraphs (5) and (6)''; and

(2) by adding at the end the following:

''(6) ADDITIONAL ENERGY EFFICIENCY CREDIT.—

''(A) IN GENERAL.—In assigning credit toward achievement under this section of the housing goals for mortgage purchase activities of the enterprises, the Director shall assign—

''(i) more than 125 percent credit, for purchases that—

''(I) comply with the requirements of such goals; and

''(II) support housing that meets minimum energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010; and

''(ii) credit in addition to credit under clause (i), for purchases that—

''(I) comply with the requirements of such goals; and

''(II) support housing that complies with enhanced energy efficiency standards, as that term is defined in section 803 of such Act.

''(B) TREATMENT OF ADDITIONAL CREDIT.—The availability of additional credit under this paragraph shall not be used to increase any housing goal, subgoal, or target established under this subpart.''.

SEC. 809. DUTY TO SERVE UNDERSERVED MARKETS FOR ENERGY EFFICIENT AND LOCATION EFFICIENT MORTGAGES.

Section 1335 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4565) is amended—

(1) in subsection (a)(1), by adding at the end the following:

''(D) MARKETS FOR ENERGY EFFICIENT AND LOCATION EFFICIENT MORTGAGES.—

''(i) DUTY.—Except as provided in clause (ii), the enterprise shall develop loan products and flexible underwriting guidelines to facilitate a secondary market for energy efficient and location efficient mortgages on housing for very low-, low-, and moderate-income families, and for second and junior mortgages made for purposes of energy efficiency or renewable energy improvements.

''(ii) AUTHORITY TO SUSPEND.—Notwithstanding any other provision of this section, the Director may suspend the applicability of the requirement under clause (i) with respect to an enterprise, for such period as is necessary, if the Director determines that exigent circumstances exist and such suspension is appropriate to ensure the safety and soundness of the portfolio holdings of the enterprise.'';

(2) by adding at the end the following:

''(e) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) ENERGY EFFICIENT MORTGAGE.—The term 'energy efficient mortgage' means a mortgage loan under which the income of the borrower, for purposes of qualification for such loan, is considered to be increased by—

''(A) not less than $1 for each $1 of savings projected to be realized by the borrower as a result of cost-effective energy saving design, construction, or improvements (including use of renewable energy sources, such as solar, geothermal, biomass, and wind, superinsulation, energy-saving windows, insulating glass and film, and radiant barrier) for the home for which the loan is made; or

''(B) a ratio of income to savings determined by the Director.

''(2) LOCATION EFFICIENT MORTGAGE.—The term 'location efficient mortgage' means a mortgage loan under which—

''(A) the income of the borrower, for purposes of qualification for such loan, is considered to be increased by—

''(i) not less than $1 for each $1 of savings projected to be realized by the borrower because the location of the home for which the loan is made will result in decreased transportation costs for the household of the borrower; or

''(ii) a ratio of income to savings determined by the Director; or

''(B) the sum of the principal, interest, taxes, and insurance due under the mortgage loan is decreased by—

''(i) not less than $1 for each $1 of savings projected to be realized by the borrower because the location of the home for which loan is made will result in decreased transportation costs for the household of the borrower; or

''(ii) a ratio of principal, interest, taxes, and insurance due under the mortgage to savings projected to be realized by the borrower determined by the Director.''.

SEC. 810. CONSIDERATION OF ENERGY EFFICIENCY UNDER FHA MORTGAGE INSURANCE PROGRAMS AND NATIVE AMERICAN AND NATIVE HAWAIIAN LOAN GUARANTEE PROGRAMS.

(a) FHA MORTGAGE INSURANCE.—

(1) REQUIREMENT.—Title V of the National Housing Act is amended by adding after section 542 (12 U.S.C. 1735f–20) the following:

''SEC. 543. CONSIDERATION OF ENERGY EFFICIENCY.

''(a) UNDERWRITING STANDARDS.—In establishing underwriting standards for mortgages on single family housing that meets minimum energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010, that are insured under this Act, the Secretary shall consider the impact that savings on utility costs has on the income of the mortgagor.

''(b) GOAL.—It is the sense of the Congress that, in carrying out this Act, the Secretary should endeavor to insure mortgages on single family housing that meets minimum energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010, such that at least 50,000 such mortgages are insured during the period beginning on the date of enactment of such Act and ending on December 31, 2012.''.

(2) REPORTING ON DEFAULTS.—Section 540(b)(2) of the National Housing Act (12 U.S.C. 1735f–18(b)(2)) is amended by adding at the end the following:

''(C) With respect to each collection period that commences after December 31, 2011—

''(i) the total number of mortgages on single family housing that meets minimum energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010, that are insured by the Secretary during the applicable collection period;

''(ii) the number of defaults and foreclosures occurring on such mortgages during such period;

''(iii) the percentage of the total of such mortgages insured during such period on which defaults and foreclosure occurred; and

''(iv) the rate for such period of defaults and foreclosures on such mortgages compared to the overall rate for such period of defaults and foreclosures on mortgages for single family housing insured under this Act by the Secretary.''.

(b) INDIAN HOUSING LOAN GUARANTEES.—

(1) REQUIREMENT.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) is amended—

(A) by redesignating subsection (l) as subsection (m); and

(B) by inserting after subsection (k) the following:

''(l) CONSIDERATION OF ENERGY EFFICIENCY.—The Secretary shall establish a method to consider, in its underwriting standards for loans for single family housing that meet minimum energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010, that are guaranteed under this section, the impact that savings on utility costs has on the portion of the income of the borrower that is available to service the mortgage debt.''.

(2) REPORTING ON DEFAULTS.—Section 540(b)(2) of the National Housing Act (12 U.S.C. 1735f–18(b)(2)), as amended by subsection (a)(2) of this section, is amended by adding at the end the following:

''(D) With respect to each collection period that commences after December 31, 2011—

''(i) the total number of loans guaranteed under section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) for single family housing that meets enhanced energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010, that are guaranteed by the Secretary during the applicable collection period;

''(ii) the number of defaults and foreclosures that occur on such loans during such period;

''(iii) the percentage of the total number of such loans guaranteed during such period on which defaults and foreclosures occurred; and

''(iv) the rate for such period of defaults and foreclosures on such loans compared to the overall rate for such period of defaults and foreclosures on loans for single family housing guaranteed under section 184 of such Act.''.

(c) NATIVE HAWAIIAN HOUSING LOAN GUARANTEES.—

(1) REQUIREMENT.—Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended by adding at the end the following:

''(m) ENERGY EFFICIENT HOUSING REQUIREMENT.—The Secretary shall establish a method to consider, in its underwriting standards for loans for single family housing that meets minimum energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010, that are guaranteed under this section, the impact that savings on utility costs have on the income of the borrower.''.

(2) REPORTING ON DEFAULTS.—Section 540(b)(2) of the National Housing Act (12 U.S.C. 1735f–18(b)(2)), as amended by the preceding provisions of this section, is amended by adding at the end the following:

''(E) With respect to each collection period that commences after December 31, 2011—

''(i) the total number of loans guaranteed under section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) on single family housing that meets enhanced energy efficiency standards, as that term is defined in section 803 of the Energy Efficiency in Housing Act of 2010, that are guaranteed by the Secretary during the applicable collection period;

''(ii) the number of defaults and foreclosures occurring on such loans during such period;

''(iii) the percentage of the total of such loans guaranteed during such period on which defaults and foreclosures occurred; and

''(iv) the rate for such period of defaults and foreclosures on such loans compared to the overall rate for such period of defaults and foreclosures on loans for single family housing guaranteed under such section 184A.''.

SEC. 811. ENERGY EFFICIENT MORTGAGES EDUCATION AND OUTREACH CAMPAIGN.

Section 513 of the Housing and Community Development Act of 1992 (12 U.S.C. 1701z–16 note) is amended by adding at the end the following:

''(g) EDUCATION AND OUTREACH CAMPAIGN.—

''(1) DEVELOPMENT OF ENERGY EFFICIENT MORTGAGE OUTREACH PROGRAM.—

''(A) COMMISSION.—The Secretary, in consultation and coordination with the Secretary of Energy, the Secretary of Education, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency, shall establish a commission to develop and recommend model mortgage products and underwriting guidelines that provide market-based incentives to prospective home buyers, lenders, and sellers to incorporate energy efficiency upgrades in new mortgage loan transactions.

''(B) REPORT.—Not later than 24 months after the date of enactment of this subsection, the Secretary shall submit to Congress a written report on the results of work of the commission established pursuant to subparagraph (A) and that identifies model mortgage products and underwriting guidelines that may encourage energy efficiency.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—After submission of the report under paragraph (1)(B), the Secretary, in consultation and coordination with the Secretary of Energy, the Secretary of Education, and the Administrator of the Environmental Protection Agency, shall carry out a public awareness, education, and outreach campaign based on the findings of the commission established pursuant to paragraph (1) to inform and educate residential lenders and prospective borrowers regarding the availability, benefits, advantages, and terms of—

''(i) energy efficient mortgages made available pursuant to this section;

''(ii) energy efficient mortgages that meet the requirements of section 1334A of this Act; and

''(iii) other mortgages, including mortgages for multifamily housing, that have energy improvement features.

''(B) CONTRACTING.—The Secretary may enter into a contract with an appropriate entity to publicize and market such mortgages through appropriate media.

''(3) RENEWABLE ENERGY HOME PRODUCT EXPOSITIONS.—It is the sense of Congress that the Secretary of Housing and Urban Development should work with appropriate entities to organize and hold renewable energy expositions that provide an opportunity for the public to view and learn about renewable energy products for the home that are currently on the market.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection $5,000,000 for each of fiscal years 2010 through 2013.''.

SEC. 812. COLLECTION OF INFORMATION ON ENERGY EFFICIENT AND LOCATION EFFICIENT MORTGAGES THROUGH HOME MORTGAGE DISCLOSURE ACT.

(a) IN GENERAL.—Section 304(b)(1) of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803(b)(1)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

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

''(5) the number and dollar amount of mortgage loans for single family housing and for multifamily housing that are energy efficient mortgages (as such term is defined in section 1334A of the Housing and Community Development Act of 1992); and

''(6) the number and dollar amount of mortgage loans for single family housing and for multifamily housing that are location efficient mortgages (as such term is defined in section 1334A of Housing and Community Development Act of 1992).''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to the first calendar year that begins after the expiration of the 30-day period beginning on the date of enactment of this title.

SEC. 813. ENERGY EFFICIENCY CERTIFICATIONS FOR HOUSING WITH MORTGAGES INSURED BY FHA.

Section 526 of the National Housing Act (12 U.S.C. 1735f–4(a)) is amended—

(1) in subsection (a)—

(A) by striking '', other than manufactured homes,'' each place that term appears;

(B) by inserting after the period at the end the following: ''The energy performance requirements developed and established by the Secretary under this section for manufactured homes shall require Energy Star ratings for wall fixtures, appliances, and equipment in such homes.'';

(C) by striking ''(a) To'' and inserting the following:

''(a) ENERGY EFFICIENCY.—

''(1) IN GENERAL.—To''; and

(D) by adding at the end the following:

''(2) CERTIFICATION.—The Secretary shall require, with respect to any single family or multifamily residential housing subject to a mortgage insured under this Act, that any approval or certification of the housing for meeting any energy efficiency or conservation criteria, standards, or requirements pursuant to this title and any approval or certification required pursuant to this title with respect to energy conserving improvements or any renewable energy sources, such as wind, solar energy, geothermal, or biomass, shall be conducted only by an individual certified by a home energy rating system provider that has been accredited to conduct such ratings by the Home Energy Ratings System Council, the Residential Energy Services Network, or such other appropriate national organization, as the Secretary may provide, or by a licensed professional architect or engineer that has been accredited as a LEED Accredited Professional by the Green Building Certification Institute. If any organization makes a request to the Secretary for approval to accredit individuals to conduct energy efficiency or conservation ratings, the Secretary shall review and approve or disapprove such request not later than 6 months after receipt of such request.

''(3) LISTING.—Each regional office of the Department of Housing and Urban Development shall maintain a list of individuals certified by a home energy rating system provider that has been accredited to conduct such ratings by the Home Energy Ratings System Council, the Residential Energy Services Network, or such other appropriate national organizations or professionals as the Secretary may designate. Such list shall indicate that home energy rating system providers accredited by the Residential Energy Services Network are preferred by the Department of Housing and Urban Development.

''(4) PERIODIC EXAMINATION OF METHOD.—The Secretary shall periodically examine the method used to conduct inspections for compliance with the requirements under this section, analyze various other approaches for conducting such inspections, and review the costs and benefits of the current method compared with other methods.''; and

(2) in subsection (b)—

(A) by striking '', other than a manufactured home,''; and

(B) by striking ''(b) The'' and inserting the following:

''(b) HEALTH AND SAFETY.—The''.

SEC. 814. ASSISTED HOUSING ENERGY LOAN PILOT PROGRAM.

(a) AUTHORITY.—Not later than 12 months after the date of enactment of this title, the Secretary shall develop and implement a pilot program to facilitate the financing of cost-effective capital improvements for covered assisted housing projects to improve the energy efficiency and conservation of such projects.

(b) NUMBER OF LENDERS.—The pilot program under this section shall involve not less than 3 and not more than 5 lenders.

(c) LOANS.—The pilot program under this section shall provide for a privately financed loan to be made for a covered assisted housing project that—

(1) finances capital improvements for the project that meet such requirements as the Secretary shall establish, and may involve contracts with third parties to perform such capital improvements, including the design of such improvements by licensed professional architects or engineers;

(2) has a term to maturity that is—

(A) not more than 20 years; and

(B) necessary to realize cost savings sufficient to repay such loan;

(3) is secured by a mortgage subordinate to the mortgage for the project that is insured under title II of the National Housing Act; and

(4) provides for a reduction in the remaining principal obligation under the loan based on the actual cost savings realized from the capital improvements financed with the loan.

(d) UNDERWRITING STANDARDS.—The Secretary shall establish underwriting requirements for loans made under the pilot program under this section, which shall—

(1) require the cost savings projected to be realized from the capital improvements financed with the loan, during the term of the loan, to exceed the costs of repaying the loan;

(2) allow the designer or contractor involved in designing capital improvements to be financed with a loan under the program to carry out such capital improvements; and

(3) include such energy, audit, property, financial, ownership, and approval requirements as the Secretary considers appropriate.

(e) TREATMENT OF SAVINGS.—The pilot program under this section shall provide that the financial benefit from any reduction in the cost of utilities resulting from capital improvements financed with a loan made under the program shall be shared between the project owner and the tenants in accordance with an appropriate ratio, as determined by the Secretary.

(f) COVERED ASSISTED HOUSING PROJECTS.—For purposes of this section, the term ''covered assisted housing project'' means a housing project that—

(1) is financed by a loan or mortgage that is—

(A) insured by the Secretary under paragraph (3) or (4) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)), and bears interest at a rate determined under the proviso of section 221(d)(5) of such Act; or

(B) insured or assisted under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

(2) at the time a loan under this section is made, is provided project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) for 50 percent or more of the dwelling units in the project; and

(3) is not a housing project owned or held by the Secretary, or subject to a mortgage held by the Secretary.

SEC. 815. HOPE VI GREEN DEVELOPMENTS REQUIREMENT.

(a) MANDATORY COMPONENT.—Section 24(e) of the United States Housing Act of 1937 (42 U.S.C. 1437v(e)) is amended by adding at the end the following:

''(4) GREEN DEVELOPMENTS REQUIREMENT.—

''(A) REQUIREMENT.—The Secretary may not make a grant under this section to an applicant unless the proposed revitalization plan of the applicant to be carried out with such grant amounts meets the following requirements:

''(i) RESIDENTIAL CONSTRUCTION.—All residential construction under the proposed plan complies with—

''(I) all mandatory items of the national Green Communities criteria checklist for residential construction and rehabilitation and such nonmandatory items of such checklist as are necessary for a residential construction to receive—

''(aa) 25 points, in the case of any proposed plan (or portion thereof) consisting of new construction; and

''(bb) 20 points, in the case of any proposed plan (or portion thereof) consisting of rehabilitation; or

''(II) a substantially equivalent standard, as determined by the Secretary.

''(ii) NONRESIDENTIAL CONSTRUCTION.—All nonresidential construction under the proposed plan complies with all minimum required levels of the green building rating systems and levels identified by the Secretary pursuant to subparagraph (C), as such systems and levels are in effect at the time of the application for the grant.

''(B) VERIFICATION.—

''(i) IN GENERAL.—The Secretary shall verify, or provide for verification sufficient to ensure, that each revitalization plan carried out with amounts from a grant under this section complies with the requirements under subparagraph (A).

''(ii) TIMING.—In providing for such verification, the Secretary shall establish procedures to ensure such compliance with respect to each grantee, and shall submit a report to Congress with respect to the compliance of each grantee—

''(I) not later than 6 months after execution of the grant agreement under this section for the grantee; and

''(II) on completion of the revitalization plan of the grantee.

''(C) IDENTIFICATION OF GREEN BUILDINGS RATING SYSTEMS AND LEVELS.—

''(i) IN GENERAL.—For purposes of this paragraph, the Secretary, in consultation with the Secretary of Energy, shall identify rating systems and levels for green buildings that the Secretary determines to be the most likely to encourage a comprehensive and environmentally sound approach to ratings and standards for green buildings.

''(ii) CRITERIA.—In identifying the green rating systems and levels under clause (i), the Secretary shall take into consideration—

''(I) the ability and availability of assessors and auditors to independently verify the criteria and measurement of metrics at the scale necessary to implement this paragraph;

''(II) the ability of the applicable ratings system organizations to collect and reflect public comment;

''(III) the ability of the standards to be developed and revised through a consensus-based process;

''(IV) an evaluation of the robustness of the criteria for a high-performance green building, which shall give credit for promoting—

''(aa) efficient and sustainable use of water, energy, and other natural resources;

''(bb) use of renewable energy sources;

''(cc) improved indoor and outdoor environmental quality through enhanced indoor and outdoor air quality, thermal comfort, acoustics, outdoor noise pollution, day lighting, pollutant source control, sustainable landscaping, and use of building system controls and low- or no-emission materials, including preference for materials with no added carcinogens that are classified as Group 1 Known Carcinogens by the International Agency for Research on Cancer; and

''(dd) such other criteria as the Secretary determines to be appropriate; and

''(V) national recognition within the building industry.

''(iii) FIVE-YEAR EVALUATION.—At least once every 5 years, the Secretary shall conduct a study to evaluate and compare available third party green building rating systems and levels, taking into account the criteria listed in clause (ii).

''(iv) REVIEW AND UPDATE.—Within 90 days of the completion of each study required by clause (iii), the Secretary shall review and update the rating systems and levels, or identify alternative systems and levels for purposes of this paragraph, taking into account the conclusions of such study.

''(D) APPLICABILITY AND UPDATING OF STANDARDS.—

''(i) APPLICABILITY.—Except as provided in clause (ii), the national Green Communities criteria checklist and green building rating systems and levels referred to in subparagraph (A) that are in effect for purposes of this paragraph are such checklist systems and levels as in existence on the date of enactment of the Energy Efficiency in Housing Act of 2010.

''(ii) UPDATING.—The Secretary may, by regulation, adopt and apply for purposes of this paragraph, future amendments and supplements to, and editions of, the national Green Communities criteria checklist, any standard or standards that the Secretary has determined to be substantially equivalent to such checklist, and the green building ratings systems and levels identified by the Secretary pursuant to subparagraph (C).''.

(b) SELECTION CRITERIA; GRADED COMPONENT.—Section 24(e)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437v(e)(2)) is amended—

(1) in subparagraph (K), by striking ''and'' at the end;

(2) by redesignating subparagraph (L) as subparagraph (M); and

(3) by inserting after subparagraph (K) the following:

''(L) the extent to which the proposed revitalization plan—

''(i) in the case of residential construction, complies with the nonmandatory items of the national Green Communities criteria checklist identified in paragraph (4)(A)(i), or any substantially equivalent standard or standards as determined by the Secretary, but only to the extent such compliance exceeds the compliance necessary to accumulate the number of points required under such paragraph; and

''(ii) in the case of nonresidential construction, complies with the components of the green building rating systems and levels identified by the Secretary pursuant to paragraph (4)(C), but only to the extent such compliance exceeds the minimum level required under such systems and levels; and''.

SEC. 816. CONSIDERATION OF ENERGY EFFICIENCY IMPROVEMENTS IN APPRAISALS.

(a) APPRAISALS IN CONNECTION WITH FEDERALLY RELATED TRANSACTIONS.—

(1) REQUIREMENT.—Section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339) is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) that such appraisals be performed in accordance with appraisal standards that require, in determining the value of a property, consideration of the ongoing utility savings and increased value from the savings that result from—

''(A) any renewable energy sources for the property; or

''(B) energy efficiency or energy conserving improvements or features of the property; and''.

(2) REVISION OF APPRAISAL STANDARDS.—Each Federal financial institution regulatory agency shall, not later than 6 months after the date of enactment of this title, revise its standards for the performance of real estate appraisals in connection with federally related transactions under the jurisdiction of the agency to comply with the requirement under the amendments made by paragraph (1).

(b) APPRAISER CERTIFICATION AND LICENSING REQUIREMENTS.—Section 1116 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3345) is amended—

(1) in subsection (a), by inserting before the period at the end the following: ''and meets the requirements established pursuant to subsection (f) for qualifications regarding consideration of any renewable energy sources for, or energy efficiency or energy conserving improvements or features of, the property'';

(2) in subsection (c), by inserting before the period at the end the following: '', which shall include compliance with the requirements established pursuant to subsection (f) regarding consideration of any renewable energy sources for, or energy efficiency or energy conserving improvements or features of, the property'';

(3) in subsection (e), by striking ''The'' and inserting ''Except as provided in subsection (f), the''; and

(4) by adding at the end the following:

''(f) REQUIREMENTS FOR APPRAISERS REGARDING ENERGY EFFICIENCY FEATURES.—The Appraisal Subcommittee shall establish requirements for State certification of State certified real estate appraisers and for State licensing of State licensed appraisers, to ensure that appraisers consider and are qualified to consider, in determining the value of a property, any renewable energy sources for, or energy efficiency or energy conserving improvements or features of, the property.''.

(c) GUIDELINES FOR APPRAISING PHOTOVOLTAIC AND SOLAR THERMAL MEASURES AND TRAINING OF APPRAISERS.—Section 1122 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3351) is amended by adding at the end the following:

''(g) GUIDELINES FOR APPRAISING PHOTOVOLTAIC AND SOLAR THERMAL MEASURES AND TRAINING OF APPRAISERS.—The Appraisal Subcommittee shall, in consultation with the Secretary of Housing and Urban Development, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation, establish specific guidelines for—

''(1) appraising off- and on-grid photovoltaic and solar thermal measures for compliance with the appraisal standards prescribed pursuant to section 1110(2);

''(2) requirements under section 1116(f) for certification of State certified real estate appraisers and for State licensing of State licensed appraisers, to ensure that appraisers consider, and are qualified to consider, such photovoltaic and solar thermal measures in determining the value of a property; and

''(3) training of appraisers to meet the requirements established pursuant to paragraph (2) of this subsection.''.

SEC. 817. ADDITIONAL REQUIREMENTS FOR THE HOUSING ASSISTANCE COUNCIL.

The Secretary shall require the Housing Assistance Council—

(1) to encourage each organization that receives assistance from the Council with any amounts made available from the Secretary to provide that any structure or building developed or assisted under projects, programs, and activities funded with such amounts complies with enhanced energy efficiency standards; and

(2) to establish incentives to encourage each such organization to provide that any such structure or building complies with enhanced energy efficiency standards.

SEC. 818. RURAL HOUSING AND ECONOMIC DEVELOPMENT ASSISTANCE.

The Secretary shall—

(1) encourage each tribe, agency, organization, corporation, and other entity that receives any assistance from the Office of Rural Housing and Economic Development of the Department of Housing and Urban Development to provide that any structure or building developed or assisted under activities funded with such amounts complies with minimum energy efficiency standards; and

(2) establish incentives to encourage each such tribe, agency, organization, corporation, and other entity to provide that any such structure or building comply with enhanced energy efficiency standards.

SEC. 819. REVOLVING FUND FOR LOANS TO STATES AND INDIAN TRIBES TO CARRY OUT RENEWABLE ENERGY SOURCES ACTIVITIES.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a revolving fund, to be known as the ''Alternative Energy Sources State Revolving Fund''.

(b) CREDITS.—The Fund shall be credited with—

(1) any amounts appropriated to the Fund pursuant to subsection (g);

(2) any amounts of principal and interest from loan repayments received by the Secretary pursuant to subsection (d)(7); and

(3) any interest earned on investments of amounts in the Fund pursuant to subsection (e).

(c) EXPENDITURES.—

(1) IN GENERAL.—Subject to paragraph (2), on request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary such amounts as the Secretary determines are necessary to provide loans under subsection (d)(1).

(2) ADMINISTRATIVE EXPENSES.—Of the amounts in the Fund, not more than 5 percent shall be available for each fiscal year to pay the administrative expenses of the Department of Housing and Urban Development to carry out this section.

(d) LOANS TO STATES AND INDIAN TRIBES.—

(1) IN GENERAL.—The Secretary shall use amounts in the Fund to provide loans to States and Indian tribes to provide incentives to owners of single family and multifamily housing, commercial properties, and public buildings to provide—

(A) renewable energy sources for such structures, such as wind, wave, solar, biomass, or geothermal energy sources, including incentives to companies and businesses to change their source of energy to such renewable energy sources and for changing the sources of energy for public buildings to such renewable energy sources;

(B) energy efficiency and energy conserving improvements and features for such structures; or

(C) infrastructure related to the delivery of electricity and hot water for structures lacking such amenities.

(2) ELIGIBILITY.—To be eligible to receive a loan under this subsection, a State or Indian tribe, directly or through an appropriate State or tribal agency, shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(3) CRITERIA FOR APPROVAL.—The Secretary may approve an application of a State or Indian tribe under paragraph (2) only if the Secretary determines that the State or tribe will use the funds from the loan under this subsection to carry out a program to provide incentives described in paragraph (1) that—

(A) requires that any such renewable energy sources, and energy efficiency and energy conserving improvements and features, developed pursuant to assistance under the program result in compliance of the structure so improved with minimum energy efficiency standards; and

(B) includes such compliance and audit requirements as the Secretary determines are necessary to ensure that the program is operated in a sound and effective manner.

(4) PREFERENCE.—In making loans during each fiscal year, the Secretary shall give preference to States and Indian tribes that have not previously received a loan under this subsection.

(5) MAXIMUM AMOUNT.—The aggregate outstanding principal amount from loans under this subsection to any single State or Indian tribe may not exceed $500,000,000.

(6) LOAN TERMS.—Each loan under this subsection shall have a term to maturity of not more than 10 years and shall bear interest at an annual rate, determined by the Secretary, that shall not exceed the interest rate charged by the Federal Reserve Bank of New York to commercial banks and other depository institutions for very short-term loans under the primary credit program, as most recently published in the Federal Reserve Statistical Release on selected interest rates (daily or weekly), and commonly referred to as the H.15 release, preceding the date of a determination for purposes of applying this paragraph.

(7) LOAN REPAYMENT.—The Secretary shall require full repayment of each loan made under this section.

(e) INVESTMENT OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such amounts in the Fund that are not, in the judgment of the Secretary of the Treasury, required to meet needs for current withdrawals.

(2) OBLIGATIONS OF UNITED STATES.—Investments may be made only in interest-bearing obligations of the United States.

(f) REPORTS.—

(1) REPORTS TO SECRETARY.—For each year during the term of a loan made under subsection (d), the State or Indian tribe that received the loan shall submit to the Secretary a report describing the State or tribal alternative energy sources program for which the loan was made and the activities conducted under the program using the loan funds during that year.

(2) REPORT TO CONGRESS.—Not later than September 30 of each year that loans made under subsection (d) are outstanding, the Secretary shall submit a report to Congress describing the total amount of such loans provided under subsection (d) to each eligible State and Indian tribe during the fiscal year ending on such date, and an evaluation on effectiveness of the Fund.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $5,000,000,000.

(h) DEFINITIONS.—In this section, the following definitions shall apply:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(2) STATE.—The term ''State'' means each of the several States, the Commonwealth of Puerto Rico, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Trust Territories of the Pacific, or any other possession of the United States.

SEC. 820. COMPETITIVE GRANT PROGRAM TO INCREASE SUSTAINABLE LOW-INCOME COMMUNITY DEVELOPMENT CAPACITY.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE COMMUNITY DEVELOPMENT ORGANIZATION.—The term ''eligible community development organization'' means—

(A) a unit of general local government, as that term is defined in section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704));

(B) a community housing development organization, as that term is defined in section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704));

(C) an Indian tribe or tribally designated housing entity, as those terms are defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)); and

(D) a public housing agency, as that term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437(b)).

(2) LOW-INCOME COMMUNITY.—The term ''low-income community'' means a census tract in which 50 percent or more of the households have an annual income that is less than 80 percent of the greater of—

(A) the median gross income for that year for the area in which the census tract is located; or

(B) the median gross income for that year for the State in which the census tract is located.

(3) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' has the same meaning as in section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704).

(b) PROGRAM ESTABLISHED.—The Secretary shall establish a competitive grant program to make grants to nonprofit organizations to—

(1) carry out a project described in subsection (c);

(2) train, educate, support, or advise an eligible community development organization that carries out a project described in subsection (c);

(3) provide planning and design assistance to eligible community development organizations;

(4) make loans or grants to eligible community development organizations; or

(5) carry out other activities consistent with this section, as the Secretary determines appropriate.

(c) PROJECTS.—The projects described in this subsection are projects—

(1) that take into consideration minimum energy efficiency standards, enhanced energy efficiency standards, and green building standards; and

(2) that—

(A) improve the energy efficiency of residential and nonresidential structures;

(B) promote resource conservation and reuse;

(C) include design strategies to maximize the energy efficiency of residential and nonresidential structures;

(D) install or construct renewable energy improvements for residential and nonresidential structures, including wind, wave, solar, biomass, and geothermal energy sources; or

(E) promote the effective use of existing infrastructure in affordable housing and economic development activities in low-income communities.

(d) PRIORITY.—In making grants under this section, the Secretary shall give priority to activities that will result in compliance with minimum energy efficiency standards, enhanced energy efficiency standards, and green building standards.

(e) APPLICATION.—A nonprofit organization that desires a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(f) AWARD OF CONTRACTS.—Any contract for architectural or engineering services that is funded with amounts from grants made under this section shall be awarded in accordance with chapter 11 of title 40, United States Code (relating to selection of architects and engineers).

(g) FEDERAL SHARE.—

(1) AMOUNT OF FEDERAL SHARE.—The Federal share of the cost of a project under this section may not exceed 50 percent.

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share of the cost of a project under this section may be in cash or in-kind.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

SEC. 821. INSURANCE COVERAGE FOR LOANS FOR FINANCING OF RENEWABLE ENERGY SYSTEMS LEASED FOR RESIDENTIAL USE.

(a) PURPOSES.—The purposes of this section are—

(1) to encourage residential use of renewable energy systems by minimizing upfront costs and providing immediate utility cost savings to consumers through leasing of such systems to homeowners;

(2) to reduce carbon emissions and the use of nonrenewable resources;

(3) to encourage energy efficient residential construction and rehabilitation;

(4) to encourage the use of renewable resources by homeowners;

(5) to minimize the impact of development on the environment;

(6) to reduce consumer utility costs; and

(7) to encourage private investment in the green economy.

(b) DEFINITIONS.—As used in this section, the following definitions shall apply:

(1) AUTHORIZED RENEWABLE ENERGY LENDER.—The term ''authorized renewable energy lender'' means a lender authorized by the Secretary to make a loan under this section.

(2) RENEWABLE ENERGY SYSTEM LEASE.—The term ''renewable system energy lease'' means an agreement between an authorized renewable energy system owner and a homeowner for a term of not less than 5 years, pursuant to which the homeowner—

(A) grants an easement to such renewable energy system owner to install, maintain, use, and otherwise access the renewable energy system; and

(B) agrees to—

(i) lease the use of such system from such renewable energy system owner; or

(ii) purchase electric power from such renewable energy system owner.

(3) RENEWABLE ENERGY MANUFACTURER.—The term ''renewable energy manufacturer'' means a manufacturer of renewable energy systems.

(4) RENEWABLE ENERGY SYSTEM OWNER.—The term ''renewable energy system owner'' means a homebuilder, a manufacturer or installer of a renewable energy system, or any other person, as determined by the Secretary.

(5) RENEWABLE ENERGY SYSTEM.—The term ''renewable energy system'' means a system of energy derived from—

(A) a wind, solar (including photovoltaic and solar thermal), biomass (including biodiesel), or geothermal source; or

(B) hydrogen derived from biomass or water using an energy source described in subparagraph (A).

(c) AUTHORITY.—

(1) IN GENERAL.—The Secretary may, upon application by an authorized renewable energy system owner, insure or make a commitment to insure a loan made by an authorized renewable energy lender to a renewable energy system owner to finance the acquisition of a renewable energy system for lease to a homeowner for use at the residence of such homeowner.

(2) TERMS AND CONDITIONS.—The Secretary may prescribe such terms and conditions for insurance under paragraph (1) as are consistent with the purposes of this section.

(d) LIMITATION ON PRINCIPAL AMOUNT.—

(1) LIMITATION.—The principal amount of a loan insured under this section shall not exceed the residual value of the renewable energy system to be acquired with the loan.

(2) RESIDUAL VALUE.—For purposes of this subsection—

(A) the residual value of a renewable energy system is the fair market value of the future revenue stream from the sale of the expected remaining electricity production from the system, pursuant to the easement granted in accordance with subsection (e); and

(B) the fair market value of the future revenue stream for each year of the remaining life of the renewable energy system shall be determined based on the net present value of the power output production warranty for such renewable energy system provided by the renewable energy manufacturer and the forecast of regional residential electricity prices made by the Energy Information Administration of the Department of Energy.

(e) EASEMENT.—The Secretary may not insure a loan under this section unless the renewable energy system owner certifies, in accordance with such requirements as the Secretary shall establish, consistent with the purposes of this section, that the systems financed will be leased only to homeowners that grant easements to install, maintain, use, and otherwise access the system that include the right to sell electricity produced during the life of the renewable energy system to a wholesale or retail electrical power grid.

(f) DISCOUNT OR PREPAYMENT.—To encourage the use of renewable energy systems, the Secretary shall ensure that a discount given to a homeowner by a renewable energy system owner or other investor or prepayment of a renewable energy system lease by a renewable energy system owner does not adversely affect the mortgage requirements of such homeowner.

(g) ELIGIBILITY OF LENDERS.—The Secretary may not insure a loan under this section unless the lender making the loan—

(1) is an institution that—

(A) qualifies as a green banking center under section 8(x) of the Federal Deposit Insurance Act (12 U.S.C. 1818(x)) or section 206(x) of the Federal Credit Union Act (12 U.S.C. 1786(x)); or

(B) meets such other requirements as the Secretary shall establish for participation of renewable energy lenders in the program under this section; and

(2) meets such qualifications as the Secretary shall establish for all lenders for participation in the program under this section.

(h) CERTIFICATE OF INSURANCE.—

(1) IN GENERAL.—The Secretary shall issue to a lender that is insured under this section a certificate that serves as evidence of insurance coverage under this section.

(2) CONTENTS OF CERTIFICATE.—The certificate required under paragraph (1) shall set forth the fair market value of the future revenue stream for each year of the remaining life of the renewable energy system.

(3) FULL FAITH AND CREDIT.—The certificate required under paragraph (1) shall be backed by the full faith and credit of the United States.

(i) PAYMENT OF INSURANCE CLAIM.—

(1) FILING OF CLAIM.—The Secretary shall provide for the filing of claims for insurance under this section and the payment of such claims.

(2) PAYMENT OF CLAIM.—A claim under paragraph (1) may be paid only upon a default under the loan insured under this section and the assignment, transfer, and delivery to the Secretary of—

(A) all rights and interests arising under the loan; and

(B) all claims of the lender or the assigns of the lender against the borrower or others arising under the loan transaction.

(3) LIEN.—

(A) IN GENERAL.—Upon payment of a claim for insurance of a loan under this section, the Secretary shall hold a lien on the underlying renewable energy system assets and any associated revenue stream from the use of such system, which shall be superior to all other liens on such assets.

(B) RESIDUAL VALUE.—The residual value of such renewable energy system and the revenue stream from the use of such system shall be not less than the unpaid balance of the loan amount covered by the certificate of insurance.

(C) REVENUE FROM SALE.—The Secretary shall be entitled to any revenue generated by such renewable energy system from selling electricity to the grid when an insurance claim has been paid out.

(j) ASSIGNMENT AND TRANSFERABILITY OF INSURANCE.—A renewable energy system owner or an authorized renewable energy lender that is insured under this section may assign or transfer the insurance in whole or in part, to another owner or lender, subject to such requirements as the Secretary may prescribe.

(k) PREMIUMS AND CHARGES.—

(1) INSURANCE PREMIUMS.—

(A) IN GENERAL.—The Secretary shall fix and collect premiums for insurance of loans under this section, that shall be paid by the applicant renewable energy system owner at the time of issuance of the certificate of insurance to the lender and shall be adequate, in the determination of the Secretary, to cover the expenses and probable losses of administering the program under this section.

(B) DEPOSIT OF PREMIUM.—The Secretary shall deposit any premiums collected under this subsection in the Renewable Energy Lease Insurance Fund established under subsection (l).

(2) PROHIBITION ON OTHER CHARGES.—Except as provided in paragraph (1), the Secretary may not assess any other fee (including a user fee), insurance premium, or charge in connection with loan insurance provided under this section.

(l) RENEWABLE ENERGY LEASE INSURANCE FUND.—

(1) FUND ESTABLISHED.—There is established in the Treasury of the United States the Renewable Energy Lease Insurance Fund (referred to in this subsection as the ''Fund''), which shall be available to the Secretary without fiscal year limitation, for the purpose of providing insurance under this section.

(2) CREDITS.—The Fund shall be credited with any premiums collected under subsection (k)(1), any amounts collected by the

Secretary under subsection (i)(3), and any associated interest or earnings.

(3) AVAILABILITY.—Amounts in the Fund shall be available to the Secretary for fulfilling any obligations with respect to insurance for loans provided under this section and paying administrative expenses in connection with this section.

(4) EXCESS AMOUNTS.—The Secretary may invest in obligations of the United States any amounts in the Fund determined by the Secretary to be in excess of amounts required at the time of such determination to carry out this section.

(m) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall issue such regulations as may be necessary to carry out this section.

(2) TIMING.—Not later than 180 days after the date of enactment of this title, the Secretary shall issue interim or final regulations.

(n) INELIGIBILITY FOR PURCHASE BY FEDERAL FINANCING BANK.—Notwithstanding any other provision of law, no debt obligation that is insured or committed to be insured by the Secretary under this section shall be subject to the Federal Financing Bank Act of 1973 (12 U.S.C. 2281 et seq.).

(o) TERMINATION OF AUTHORITY.—The authority of the Secretary to insure and make commitments to insure new loans under this title shall terminate 10 years after the date of enactment of this title.

SEC. 822. GREEN BANKING CENTERS.

(a) INSURED DEPOSITORY INSTITUTIONS.—Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) is amended by adding at the end the following:

''(x) GREEN BANKING CENTERS.—

''(1) IN GENERAL.—The Federal banking agencies shall prescribe guidelines encouraging the establishment and maintenance of green banking centers by insured depository institutions to provide any consumer who seeks information on obtaining a mortgage, home improvement loan, or home equity loan with additional information on—

''(A) obtaining a home energy rating or audit for the residence for which such mortgage or loan is sought;

''(B) obtaining financing for cost-effective energy-saving improvements to such property; and

''(C) obtaining beneficial terms for any mortgage or loan, or qualifying for a larger mortgage or loan, secured by a residence which meets or will meet energy efficiency standards.

''(2) INFORMATION AND REFERRALS.—The information made available to consumers under paragraph (1) may include—

''(A) information on obtaining a home energy rating and contact information on qualified energy raters in the area of the residence;

''(B) information on the secondary market guidelines that permit lenders to provide more favorable terms by allowing lenders to increase the ratio on debt-to-income requirements or to use the projected utility savings as a compensating factor;

''(C) information including eligibility information about, and contact information for, any conservation or renewable energy programs, grants, or loans offered by the Secretary of Housing and Urban Development, including the Energy Efficient Mortgage Program;

''(D) information including eligibility information about, and contact information for, any conservation or renewable energy programs, grants, or loans offered for qualified military personal, reservists, and veterans by the Secretary of Veterans Affairs;

''(E) information about, and contact information for, the Office of Efficiency and Renewable Energy at the Department of Energy, including the weatherization assistance program;

''(F) information about, and contact information for, the Energy Star Program of the Environmental Protection Agency;

''(G) information from, and contact information for, the Federal Citizen Information Center of the General Services Administration on energy efficient mortgages and loans, home energy rating systems, and the availability of energy efficient mortgage information from a variety of Federal agencies; and

''(H) such other information as the agencies or the insured depository institution may determine to be appropriate or useful.''.

(b) INSURED CREDIT UNIONS.—Section 206 of the Federal Credit Union Act (12 U.S.C. 1786) is amended by adding at the end the following:

''(x) GREEN BANKING CENTERS.—

''(1) IN GENERAL.—The Board shall prescribe guidelines encouraging the establishment and maintenance of green banking centers by insured credit unions to provide any member who seeks information on obtaining a mortgage, home improvement loan, or home equity loan with additional information on—

''(A) obtaining a home energy rating or audit for the residence for which such mortgage or loan is sought;

''(B) obtaining financing for cost-effective energy-saving improvements to such property; and

''(C) obtaining beneficial terms for any mortgage or loan, or qualifying for a larger mortgage or loan, secured by a residence which meets or will meet energy efficiency standards.

''(2) INFORMATION AND REFERRALS.—The information made available to members under paragraph (1) may include—

''(A) information on obtaining a home energy rating and contact information on qualified energy raters in the area of the residence;

''(B) information on the secondary market guidelines that permit lenders to provide more favorable terms by allowing lenders to increase the ratio on debt-to-income requirements or to use the projected utility savings as a compensating factor;

''(C) information including eligibility information about, and contact information for, any conservation or renewable energy programs, grants, or loans offered by the Secretary of Housing and Urban Development, including the Energy Efficient Mortgage Program;

''(D) information including eligibility information about, and contact information for, any conservation or renewable energy programs, grants, or loans offered for qualified military personnel, reservists, and veterans by the Secretary of Veterans Affairs;

''(E) information about, and contact information for, the Office of Efficiency and Renewable Energy at the Department of Energy, including the weatherization assistance program;

''(F) information from, and contact information for, the Federal Citizen Information Center of the General Services Administration on energy efficient mortgages and loans, home energy rating systems, and the availability of energy efficient mortgage information from a variety of Federal agencies;

''(G) information about incentives or financial products that are available for projects that are consistent with or certified under minimum energy efficiency standards, enhanced efficiency standards, or green building standards, as those terms are defined in section 803 of the Energy Efficiency in Housing Act of 2010; and

''(H) such other information as the Board or the insured credit union may determine to be appropriate or useful.''.

SEC. 823. GAO REPORTS ON AVAILABILITY OF AFFORDABLE MORTGAGES.

(a) STUDY.—The Comptroller General of the United States shall periodically, as necessary to comply with subsection (b), examine the impact of this title and the amendments made by this title on the availability of affordable mortgages in various areas throughout the United States, including cities having older infrastructure and limited space for the development of new housing.

(b) TRIENNIAL REPORTS.—

(1) REPORT REQUIRED.—The Comptroller General shall submit a report once every 3 years to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(2) CONTENTS OF REPORT.—The report under paragraph (1) shall include—

(A) a detailed statement of the most recent findings pursuant to subsection (a); and

(B) if the Comptroller General finds that this title or the amendments made by this title have directly or indirectly resulted in consequences that limit the availability or affordability of mortgages in any area or areas within the United States, including any city having older infrastructure and limited space for the development of new housing, any recommendations for any additional actions at the Federal, State, or local levels that the Comptroller General considers necessary or appropriate to mitigate such effects.

(3) TIMING.—The first report under paragraph (1) shall be submitted not later than 3 years after the date of enactment of this title.

SEC. 824. PUBLIC HOUSING ENERGY COST REPORT.

(a) COLLECTION OF INFORMATION BY HUD.—

(1) IN GENERAL.—The Secretary shall obtain from each public housing agency, at such time as may be necessary to comply with the reporting requirement under subsection (b), information regarding the energy costs for public housing administered or operated by the agency.

(2) TYPE OF INFORMATION.—For each public housing agency, such information shall include the monthly energy costs associated with each separate building and development of the agency, for the most recently completed 12-month period for which such information is available, and such other information as the Secretary determines is appropriate in determining which public housing buildings and developments are most in need of repairs and improvements to reduce energy needs and costs and become more energy efficient.

(b) REPORT.—Not later than 12 months after the date of enactment of this title, the Secretary shall submit to Congress a report setting forth the information collected pursuant to subsection (a).

SA 3355. Mr. BUNNING proposed an amendment to the bill H.R. 4691, to provide a temporary extension of certain programs, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Temporary Extension Act of 2010''.

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking ''February 28, 2010'' each place it appears and inserting ''April 5, 2010'';

(B) in the heading for subsection (b)(2), by striking ''FEBRUARY 28, 2010'' and inserting ''APRIL 5, 2010''; and

(C) in subsection (b)(3), by striking ''July 31, 2010'' and inserting ''September 4, 2010''.

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking ''February 28, 2010'' and inserting ''April 5, 2010'';

(B) in the heading for paragraph (2), by striking ''FEBRUARY 28, 2010'' and inserting ''APRIL 5, 2010''; and

(C) in paragraph (3), by striking ''August 31, 2010'' and inserting ''October 5, 2010''.

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking ''February 28, 2010'' each place it appears and inserting ''April 5, 2010''; and

(B) in subsection (c), by striking ''July 31, 2010'' and inserting ''September 4, 2010''.

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''July 31, 2010'' and inserting ''September 4, 2010''.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking ''1009'' and inserting ''1009(a)(1)''; and

(3) by inserting after subparagraph (C) the following new subparagraph:

''(D) the amendments made by section 2(a)(1) of the Temporary Extension Act of 2010; and''.

SEC. 3. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

(a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by striking ''February 28, 2010'' and inserting ''March 31, 2010''.

(b) CLARIFICATIONS RELATING TO SECTION 3001 OF ARRA.—

(1) CLARIFICATION REGARDING COBRA CONTINUATION RESULTING FROM REDUCTIONS IN HOURS.—Subsection (a) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended—

(A) in paragraph (3)(C), by inserting before the period at the end the following: ''or consists of a reduction of hours followed by such an involuntary termination of employment during such period (as described in paragraph (17)(C))''; and

(B) by adding at the end the following:

''(17) SPECIAL RULES IN CASE OF INDIVIDUALS LOSING COVERAGE BECAUSE OF A REDUCTION OF HOURS.—

''(A) NEW ELECTION PERIOD.—

''(i) IN GENERAL.—For the purposes of the COBRA continuation provisions, in the case of an individual described in subparagraph (C) who did not make (or who made and discontinued) an election of COBRA continuation coverage on the basis of the reduction of hours of employment, the involuntary termination of employment of such individual on or after the date of the enactment of this paragraph shall be treated as a qualifying event.

''(ii) COUNTING COBRA DURATION PERIOD FROM PREVIOUS QUALIFYING EVENT.—In any case of an individual referred to in clause (i), the period of such individual's continuation coverage shall be determined as though the qualifying event were the reduction of hours of employment.

''(iii) CONSTRUCTION.—Nothing in this paragraph shall be construed as requiring an individual referred to in clause (i) to make a payment for COBRA continuation coverage between the reduction of hours and the involuntary termination of employment.

''(iv) PREEXISTING CONDITIONS.—With respect to an individual referred to in clause (i) who elects COBRA continuation coverage pursuant to such clause, rules similar to the rules in paragraph (4)(C) shall apply.

''(B) NOTICES.—In the case of an individual described in subparagraph (C), the administrator of the group health plan (or other entity) involved shall provide, during the 60-day period beginning on the date of such individual's involuntary termination of employment, an additional notification described in paragraph (7)(A), including information on the provisions of this paragraph. Rules similar to the rules of paragraph (7) shall apply with respect to such notification.

''(C) INDIVIDUALS DESCRIBED.—Individuals described in this subparagraph are individuals who are assistance eligible individuals on the basis of a qualifying event consisting of a reduction of hours occurring during the period described in paragraph (3)(A) followed by an involuntary termination of employment insofar as such involuntary termination of employment occurred on or after the date of the enactment of this paragraph.''.

(2) CODIFICATION OF CURRENT INTERPRETATION.—Subsection (a)(16) of such section is amended—

(A) by striking clause (ii) of subparagraph (A) and inserting the following:

''(ii) such individual pays, the amount of such premium, after the application of paragraph (1)(A), by the latest of—

''(I) 60 days after the date of the enactment of this paragraph,

''(II) 30 days after the date of provision of the notification required under subparagraph (D)(ii), or

''(III) the end of the period described in section 4980B(f)(2)(B)(iii) of the Internal Revenue Code of 1986.''; and

(B) by striking subclause (I) of subparagraph (C)(i), and inserting the following:

''(I) such assistance eligible individual experienced an involuntary termination that was a qualifying event prior to the date of enactment of the Department of Defense Appropriations Act, 2010; and''.

(3) CLARIFICATION OF PERIOD OF ASSISTANCE.—Subsection (a)(2)(A)(ii)(I) of such section is amended by striking ''of the first month''.

(4) ENFORCEMENT.—Subsection (a)(5) of such section is amended by adding at the end the following: ''In addition to civil actions that may be brought to enforce applicable provisions of such Act or other laws, the appropriate Secretary or an affected individual may bring a civil action to enforce such determinations and for appropriate relief. In addition, such Secretary may assess a penalty against a plan sponsor or health insurance issuer of not more than $110 per day for each failure to comply with such determination of such Secretary after 10 days after the date of the plan sponsor's or issuer's receipt of the determination.''.

(5) AMENDMENTS RELATING TO SECTION 3001 OF ARRA.—

(A) Subsection (g)(9) of section 35 of the Internal Revenue Code of 1986 is amended by striking ''section 3002(a) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a) of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(B) Section 139C of such Code is amended by striking ''section 3002 of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001 of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(C) Section 6432 of such Code is amended—

(i) in subsection (a), by striking ''section 3002(a) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a) of title III of division B of the American Recovery and Reinvestment Act of 2009'';

(ii) in subsection (c)(3), by striking ''section 3002(a)(1)(A) of such Act'' and inserting ''section 3001(a)(1)(A) of title III of division B of the American Recovery and Reinvestment Act of 2009''; and

(iii) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and inserting after subsection (d) the following new subsection:

''(e) EMPLOYER DETERMINATION OF QUALIFYING EVENT AS INVOLUNTARY TERMINATION.—For purposes of this section, in any case in which—

''(1) based on a reasonable interpretation of section 3001(a)(3)(C) of division B of the American Recovery and Reinvestment Act of 2009 and administrative guidance thereunder, an employer determines that the qualifying event with respect to COBRA continuation coverage for an individual was involuntary termination of a covered employee's employment, and

''(2) the employer maintains supporting documentation of the determination, including an attestation by the employer of involuntary termination with respect to the covered employee,

the qualifying event for the individual shall be deemed to be involuntary termination of the covered employee's employment.''.

(D) Subsection (a) of section 6720C of such Code is amended by striking ''section 3002(a)(2)(C) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a)(2)(C) of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 to which they relate, except that—

(1) the amendments made by subsection (b)(1) shall apply to periods of coverage beginning after the date of the enactment of this Act;

(2) the amendments made by subsection (b)(2) shall take effect as if included in the amendments made by section 1010 of division B of the Department of Defense Appropriations Act, 2010; and

(3) the amendments made by subsections (b)(3) and (b)(4) shall take effect on the date of the enactment of this Act.

SEC. 4. EXTENSION OF SURFACE TRANSPORTATION PROGRAMS.

(a) IN GENERAL.—Except as provided in subsection (b), for purposes of the continued extension of surface transportation programs and related authority to make expenditures from the Highway Trust Fund and other trust funds under sections 157 through 162 of the Continuing Appropriations Resolution, 2010 (Public Law 111–68; 123 Stat. 2050), the date specified in section 106(3) of that resolution (Public Law 111–68; 123 Stat. 2045) shall be deemed to be March 28, 2010.

(b) EXCEPTION.—Subsection (a) shall not apply if an extension of the programs and authorities described in that subsection for a longer term than the extension contained in the Continuing Appropriations Resolution, 2010 (Public Law 111–68; 123 Stat. 2050), is enacted before the date of enactment of this Act.

SEC. 5. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the Department of Defense Appropriations Act, 2010 (Public Law 111–118), is amended—

(1) in subparagraph (A), by striking ''February 28, 2010'' and inserting ''March 31, 2010''; and

(2) in subparagraph (B), by striking ''March 1, 2010'' and inserting ''April 1, 2010''.

SEC. 6. EXTENSION OF MEDICARE THERAPY CAPS EXCEPTIONS PROCESS.

Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)) is amended by striking ''December 31, 2009'' and inserting ''March 31, 2010''.

SEC. 7. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111–118) is amended by striking ''March 1, 2010'' and inserting ''March 31, 2010''.

SEC. 8. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111–68), as amended by section 1005 of Public Law 111–118, is further amended by striking ''by substituting'' and all that follows through the period at the end, and inserting ''by substituting March 28, 2010, for the date specified in each such section.''.

SEC. 9. EXTENSION OF SMALL BUSINESS LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 502(f) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 153) is amended by striking ''February 28, 2010'' and inserting ''March 28, 2010''.

(b) APPROPRIATION.—There is appropriated, out of any funds in the Treasury not otherwise appropriated, for an additional amount for ''Small Business Administration – Business Loans Program Account'', $60,000,000, to remain available through March 28, 2010, for the cost of—

(1) fee reductions and eliminations under section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 151) for loans guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.), or section 502 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 152), as amended by this section; and

(2) loan guarantees under section 502 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 152), as amended by this section,

Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

SEC. 10. SATELLITE TELEVISION EXTENSION.

(a) AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.—

(1) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking ''February 28, 2010'' and inserting ''March 28, 2010''; and

(B) in subsection (e), by striking ''February 28, 2010'' and inserting ''March 28, 2010''.

(2) TERMINATION OF LICENSE.—Section 1003(a)(2)(A) of Public Law 111–118 is amended by striking ''February 28, 2010'', and inserting ''March 28, 2010''.

(b) AMENDMENTS TO COMMUNICATIONS ACT OF 1934.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking ''February 28, 2010'' and inserting ''March 28, 2010''; and

(2) in paragraph (3)(C), by striking ''March 1, 2010'' each place it appears in clauses (ii) and (iii) and inserting ''March 29, 2010''.

SEC. 11. EXCLUSION OF UNPROCESSED FUELS FROM THE CELLULOSIC BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Subparagraph (E) of section 40(b)(6) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(iii) EXCLUSION OF UNPROCESSED FUELS.—The term 'cellulosic biofuel' shall not include any fuel if—

''(I) more than 4 percent of such fuel (determined by weight) is any combination of water and sediment, or

''(II) the ash content of such fuel is more than 1 percent (determined by weight).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuels sold or used after the date of the enactment of this Act.

SEC. 12. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

SA 3356. Mrs. MURRAY (for herself, Mr. HARKIN, Mrs. BOXER, Mr. BEGICH, and Mr. BURRIS) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. TRAINING AND EMPLOYMENT SERVICES.

(a) ADDITIONAL AMOUNT.—There is appropriated for fiscal year 2010, for an additional amount for ''Training and Employment Services'' for activities under the Workforce Investment Act of 1998 (referred to in this section as the ''WIA''), $1,500,000,000. That amount is appropriated out of any money in the Treasury not otherwise appropriated. The amount shall be available for obligation for the period beginning on the date of enactment of this Act.

(b) ACTIVITIES.—In particular, of the amount made available under subsection (a)—

(1) $1,500,000,000 shall be available for grants to States for youth activities, including summer employment for youth, which funds shall remain available for obligation through September 30, 2010, except that—

(A) no portion of such funds shall be reserved to carry out section 127(b)(1)(A) of the WIA;

(B) for purposes of section 127(b)(1)(C)(iv) of the WIA, funds available for youth activities shall be allotted as if the total amount available for youth activities for fiscal year 2010 does not exceed $1,000,000,000;

(C) with respect to the youth activities provided with such funds, section 101(13)(A) of the WIA shall be applied by substituting ''age 24'' for ''age 21'';

(D) the work readiness aspect of the performance indicator described in section 136(b)(2)(A)(ii)(I) of the WIA shall be the only measure of performance used to assess the effectiveness of summer employment for youth provided with such funds; and

(E) an amount that is not more than 1 percent of the funds appropriated under subsection (a) may be used for the administration, management, and oversight of the programs, activities, and grants, funded under subsection (a), including the evaluation of the use of such funds; and

(2) funds designated for the purposes of paragraph (1)(E), together with funds described in section 801(b) of Division A of the American Recovery and Reinvestment Act of 2009, shall be available for obligation through September 30, 2012.

SA 3357. Mr. DODD (for himself, Ms. STABENOW, Mr. LEVIN, and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 3336 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 223 and insert the following:

SEC. 223. EXTENSION OF SECTION 508 HOSPITAL RECLASSIFICATIONS.

(a) IN GENERAL.—Subsection (a) of section 106 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395 note), as amended by section 117 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173) and section 124 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), is amended by striking ''September 30, 2009'' and inserting ''September 30, 2010''.

(b) SPECIAL RULE FOR FISCAL YEAR 2010.—

(1) IN GENERAL.—Subject to paragraph (2), for purposes of implementation of the amendment made by subsection (a), including (notwithstanding paragraph (3) of section 117(a) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), as amended by section 124(b) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275)) for purposes of the implementation of paragraph (2) of such section 117(a), during fiscal year 2010, the Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall use the hospital wage index that was promulgated by the Secretary in the Federal Register on August 27, 2009 (74 Fed. Reg. 43754), and any subsequent corrections.

(2) EXCEPTION.—Beginning on April 1, 2010, in determining the wage index applicable to hospitals that qualify for wage index reclassification, the Secretary shall include the average hourly wage data of hospitals whose reclassification was extended pursuant to the amendment made by subsection (a) only if including such data results in a higher applicable reclassified wage index. Any revision to hospital wage indexes made as a result of this paragraph shall not be effected in a budget neutral manner.

(c) ADJUSTMENT FOR CERTAIN HOSPITALS IN FISCAL YEAR 2010.—

(1) IN GENERAL.—In the case of a subsection (d) hospital (as defined in subsection (d)(1)(B) of section 1886 of the Social Security Act (42 U.S.C. 1395ww)) with respect to which—

(A) a reclassification of its wage index for purposes of such section was extended pursuant to the amendment made by subsection (a); and

(B) the wage index applicable for such hospital for the period beginning on October 1, 2009, and ending on March 31, 2010, was lower than for the period beginning on April 1, 2010, and ending on September 30, 2010, by reason of the application of subsection (b)(2);

the Secretary shall pay such hospital an additional payment that reflects the difference between the wage index for such periods.

(2) TIMEFRAME FOR PAYMENTS.—The Secretary shall make payments required under paragraph (1) by not later than December 31, 2010.

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 the hearing scheduled before the Committee on Energy and Natural Resources, previously announced for February 9th, has been rescheduled and will now be held on Tuesday, March 9, 2010, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to examine financial transmission rights and other electricity market mechanisms.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Gina_Weinstock@energy.senate.gov.

For further information, please contact Leon Lowery at (202) 224–2209 or Kevin Huyler at (202) 224–6689 or Gina Weinstock at (202) 224–5684.

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 has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, March 11, 2010, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review legislative proposals designed to create jobs related to energy efficiency, including a Majority Staff Draft on energy efficient building retrofits.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to *Rosemarie*_Calabro@energy.senate.gov.

For further information, please contact Deborah Estes at (202) 224–5360 or Rosemarie Calabro at (202) 224–5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DODD. 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 March 2, 2010, at 9:30 a.m., to conduct a hearing entitled ''Restoring Credit to Main Street: Proposals To Fix Small Business Borrowing and Lending Problems.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 2, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 2, 2010, at 11:15 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 2, 2010. The Committee will meet in room 345 of the Cannon House Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DODD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 2, 2010, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate on March 2, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Global Internet Freedom and the Rule of Law, Part II.''

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING MINORITY PARTY COMMITTEE APPOINTMENTS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 429, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 429) making minority party appointments for certain committees for the 111th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. 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. 429) was agreed to, as follows:

S. RES. 429

Resolved, That the following be the minority membership on the following committees for the remainder of the 111th Congress, or until their successors are appointed:

COMMITTEE ON ARMED SERVICES: Mr. McCain, Mr. Inhofe, Mr. Sessions, Mr. Chambliss, Mr. Graham, Mr. Thune, Mr. Wicker, Mr. LeMieux, Mr. Brown, Mr. Burr, Mr. Vitter, and Ms. Collins.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins, Mr. Coburn, Mr. Brown, Mr. McCain, Mr. Voinovich, Mr. Ensign, and Mr. Graham.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Burr, Mr. Isakson, Mr. Wicker, Mr. Johanns, Mr. Brown, and Mr. Graham.

ORDERS FOR WEDNESDAY, MARCH 3, 2010

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 3; 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 resume consideration of H.R. 4213.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SCHUMER. Madam President, tomorrow, we will resume consideration of the tax extenders legislation. Currently, we have three amendments pending to the bill—the Thune amendment, the Sessions amendment, and the Landrieu amendment. Earlier today, we were able to reach agreement on the next four amendments in order. Senators MURRAY and SANDERS will offer the next two Democratic amendments and Senator BUNNING will offer the next two Republican amendments. Rollcall votes are expected to occur throughout the day.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 9:33 p.m., adjourned until Wednesday, March 3, 2010, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

MICHAEL C. CAMUÑEZ, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE DAVID STEELE BOHIGIAN, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN W. MORGAN III

CONFIRMATION

Executive nomination confirmed by the Senate, Tuesday, March 2, 2010:

THE JUDICIARY

BARBARA MILANO KEENAN, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT.

EXTENSIONS OF REMARKS

HONORING MR. ROBERT GEORGE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to the people of Chautauqua County by Mr. Robert George. Mr. George served his constituency faithfully and justly during his tenure as a member of the Dunkirk City Council.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. George served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. George is one of those people and that is why, Madam Speaker, I rise to pay tribute to him today.

2009 GREAT COMEBACKS RECIPIENT FOR THE WEST REGION

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. BISHOP of Utah. Madam Speaker, I rise today to recognize Sylvia Prothro Hebert of Park City. Sylvia has been selected as a 2009 Great Comebacks Recipient for the West Region. This program honors annually a group of individuals who are living with intestinal diseases or recovering from ostomy surgery.

At age 9, Sylvia Prothro Hebert was diagnosed with Crohn's disease. At first Sylvia managed her symptoms with medication but flare-ups became a constant companion during college. Her weight dropped to 89 pounds, teeth loosened and hair fell out. At age 21, her intestines were punctured during a colonoscopy and she underwent ostomy surgery. ''I awoke with this 'thing' on my side and was in shock—I thought my life was over,'' says Sylvia.

Since her diagnosis, Sylvia has triumphed over her illness, soaring to new heights to fulfill her dream of becoming a flight attendant—and by her records—the first Delta flight attendant with an ileostomy!

Today, Sylvia, 42, lives in Park City, UT with her husband Paul and their children, Reese, 5, Garrett, 3½, Renee, 1½. In addition to skiing, Sylvia has completed two half-marathons and a triathlon. ''I feel healthier and happier than I've ever felt in my life,'' says Sylvia. ''Ostomy surgery gave me freedom to do things I wanted—it's great to be alive.''

I would like to congratulate Sylvia on her recent recognition as a 2009 Great Comebacks recipient.

IN HONOR OF DELAWARE'S MEDICAL RELIEF GROUPS

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CASTLE. Madam Speaker, it is with pride and admiration that I rise today to pay tribute to the Delaware medical groups that have traveled to Haiti over the past month to administer medical relief aid. To date, over five dozen individuals have gone to Haiti with Delaware's medical teams—including doctors and staff from Alexis I. duPont Hospital for Children, Bayhealth Medical Center, Christiana Care Health System, and St. Francis Healthcare Services—and a great many more have aided in preparing and assisting the teams with logistical planning and much needed medical supplies.

When news of Haiti's devastating earthquake reached members of Delaware's medical and disaster response community, plans of aid and assistance were immediately underway. Delaware medical professionals were on the ground, setting up emergency clinics and treating patients within ten days of the earthquake's occurrence, a remarkable feat considering the effect the earthquake had on travel into and out of the country.

These medical teams are comprised of truly dedicated individuals, individuals who are able to persevere despite the physically and mentally demanding nature of medical missions and the inevitable frustration and conflict that must attend a catastrophe such as this. Each day, all day, they see patients—administering aid and medications, performing desperately needed operations, and establishing local connections that will prove vital as relief work moves forward. They do this amidst logistical challenges and harsh conditions, contending with aftershocks, extreme weather, and a lack of shelter, supplies and running water. Their support, their efforts, and what they have been able to accomplish, including arranging for the transport and treatment of critical-need babies who require medical care not available to them in Haiti, are remarkable.

While I know there will be many more groups, organizations, and hospitals to thank going forward, I call attention today to the Delaware medical teams who have already responded with aid and resources in the wake of this major catastrophe. I wish to recognize these individuals for their quick response; they knew the importance of providing quality medical care and acted with great zeal. I wish to recognize them for their tireless dedication; they have worked day and night, performing surgeries back-to-back. Finally, I wish to recognize them for their continuing compassion; they have set aside, without reservation, their own lives in order to help others. Their commitment to the Haitian population has been tenacious.

The efforts of Delaware's medical and disaster response community are nothing short of inspirational. These men and women are not just medical professionals; they are heroes and role models. They have donated their time, their energy, and their hearts. Their efforts have been tireless, and I am humbled by that which they have already accomplished. I feel great pride in representing a state whose citizens are aware of and responsive to the needs and affairs of our global community. Catastrophes call for banding together. Delaware's medical community has answered that call and, I have no doubt, will continue to do so in the coming weeks and months.

IN RECOGNITION OF DAN HENRY'S ACHIEVEMENTS IN THE FIELD OF DENTISTRY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. MILLER of Florida. Madam Speaker, I rise today to recognize Dr. Dan Henry, a Northwest Florida community leader. Dr. Henry has spent his life serving others, and I am proud to honor his dedication, passion, and service.

Adopted at the age of seven by Sam and Helen Henry, Dan was raised in Crestview, Florida. He met his wife, Melinda, as an undergraduate at Florida State, and then went on to earn his Doctor of Dental Surgery degree from the University of Maryland in 1975. His family moved to the Pensacola area in 1977 and have remained an active part of our community ever since. Dan has received countless awards for his work as a dentist, and served as President of the Florida Dental Association in 2006 and 2007.

While Dr. Henry's list of honors, awards, and achievements are impressive by any standard, his most important work happens while serving the underprivileged. For 23 years, Dr. Henry has led dental missions overseas in association with the Methodist Church. In founding, inspiring, and orchestrating these missions, Dr. Henry has faced daunting challenges. Many of the areas in which he performed missions are without electricity or basic necessities needed for dental hygiene. Dr. Henry created portable equipment and invented power systems that allow the dental teams to set up clinics overseas. The missions are able to provide dental care to some of the poorest areas of the world because of Dr. Henry's dedication and service. He has inspired a generation of volunteers to participate in similar overseas missions.

In addition to yearly missions overseas, Dr. Henry never forgets those in need throughout our local community. Dr. Henry leads a Dental Fair at Chumuckla United Methodist Church, providing free dental care for children, youth, and adults of the surrounding area. Hundreds of people are able to receive proper dental care because of the Healing Springs Dental Fair. Dr. Henry and the countless other volunteer dentists, dental assistants, and hygienists

who give their time and their services deserve special recognition for all they do to ensure any member of our community can receive proper dental care.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize Dr. Dan Henry as a Northwest Florida leader and international inspiration. My wife Vicki and I wish Dan, his wife Melinda, and his children Matthew and Kelly, all the best for continued success.

CELEBRATING THE 49TH ANNIVERSARY OF THE PEACE CORPS AND THE CONTRIBUTIONS OF SENATOR HARRIS WOFFORD

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. FATTAH. Madam Speaker, March 1 to 7 is Peace Corps Week, a time to officially celebrate one of the greatest ideas and most beloved international initiatives in our nation's history—49 years of hands-on good will by nearly 200,000 volunteers dispatched to 139 countries.

It is also an opportunity to pay tribute to my fellow Philadelphian Harris Wofford, the Father of National Service, who developed, nurtured and led the Peace Corps as it grew to reality from then-Senator John F. Kennedy's challenge to college students to serve in the cause of peace.

Harris Wofford has devoted his life and his creative energies to the civil society, civil rights and service to humanity. In addition to his seminal work in founding the Peace Corps, he served as Chief Executive Officer of the Corporation for National and Community Service—our domestic Peace Corps—which followed an all-too-brief and highly principled four years as United States Senator. He has continued his bipartisan advocacy for responsible and caring citizenship on behalf of America's Promise, Youth Service America, the Points of Light Foundation, and Experience Wave.

The 49th anniversary of the founding of the Peace Corps by President Kennedy on March 1, 1961, is a great cause for celebration. But it's also a time to recognize that the reason we are celebrating is that, for the past 49 years, every week has been Peace Corps Week—over 2,500 Peace Corps Weeks.

Today, more than 7,600 volunteers in 76 nations are carrying out the vision of President Kennedy, Senator Wofford and so many other great and little known Americans who have made the Peace Corps synonymous with American service and sharing, American teaching and know-how, American compassion and peace work. I congratulate all these fine young—and not so young—men and women for their selfless efforts.

The Peace Corps has been the experience building and jumping off point for many prominent Philadelphians—including one notable alumnus from my hometown, ''Hardball's'' Chris Matthews. Today, I want to commend a dazzling dozen current Peace Corps volunteers who have traveled from their homes in the Second Congressional District of Pennsylvania, in Philadelphia and Montgomery County, for two years of service abroad.

They are Kaye Bullemeier, Darline Dameus and Noel C. Kuck, now in Malawi; Lauren J. Mcilhenny and Benjamin J. Stollenberg, in Albania; Emily F. Haimowitz and Daniel R. Merin, Costa Rica; Cara A. George, Guatemala; Imani D. Hulty, Mozambique; Nancy Morisseau, Turkmenistan; Joo Weon J. Park, China; and Danielle Porreca, Jamaica.

I salute these men and women and join with all Americans in extending thanks to entire Peace Corps family, past, present and future. You do us proud.

PERSONAL EXPLANATION

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. DENT. Madam Speaker, I regret that I was unavoidably absent on the afternoon of Thursday, February 25, 2010, and all day on Friday, February 26, 2010 due to a death in my family. Had I been present I would have voted accordingly: Rollcall No. 67, Concurring in Senate Amendments to H.R. 3961—I would have voted ''aye.'' Rollcall No. 68, H. Con. Res. 227, Supporting the goals and ideals of National Urban Crimes Awareness Week—I would have voted ''aye.'' Rollcall No. 69, H. Amdt. 573 (REYES of Texas) to H.R. 2701—I would have voted ''no.'' Rollcall No. 70, H. Amdt. 575 (HASTINGS of Florida) to H.R. 2701—I would have voted ''aye.'' Rollcall No. 71, H. Amdt. 584 (SCHAUER of Michigan) to H.R. 2701—I would have voted ''aye.'' Rollcall No. 72, Motion to Recommit with Instructions, H.R. 2701—I would have voted ''aye.'' Rollcall No. 73, H.R. 2701, Intelligence Authorization Act for Fiscal Year 2010—I would have voted ''no.'' Rollcall No. 74, H. Con. Res. 238, Recognizing the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation—I would have voted ''aye.''

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2009

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. HIRONO. Mr. Speaker, I rise today to provide additional remarks on H.R. 2314, the Native Hawaiian Government Reorganization Act of 2009, a bill the House passed with a clear majority vote of 245–164 on February 23, 2010.

At the end of the 18th century, King Kamehameha I united the separate island chiefdoms under one Hawaiian monarchy, which was recognized by the United States. This unified Native Hawaiian self-rule continued through most of the 19th century, with Native Hawaiians ''constitut[ing] the overwhelming majority of the political community that participated in decisionmaking in the Kingdom,'' (Jon M. Van Dyke, Population, Voting, and Citizenship in the Kingdom of Hawai'i, 28 U. Haw. L. Rev. 81, 81 (2005)), and came to an end only when, in 1893, commercial interests overthrew the Hawaiian monarchy with the support of the U.S. government.

Even after the overthrow of the Hawaiian monarchy, Native Hawaiians have continued to maintain their separate identity as a single distinctly political community through cultural, social, and political institutions, and through efforts to develop programs to provide governmental services to native Hawaiians. For example, the Hawaiian Protective Association—a political organization with by-laws and a constitution that sought to maintain unity among Native Hawaiians, protect Native Hawaiian interests (including by lobbying the legislature), and promote the education, health, and economic development of Native Hawaiians—was ''organized [in 1914] . . . for the sole purpose of protecting the Hawaiian people and of conserving and promoting the best things of their tradition'' (Hearing on H.R. 13500 Before the Committee on Territories, 66th Cong., 3d Sess. 44 (Dec. 14, 1920) (Rev. Akaiko Akana)).

To this end, the Association established twelve standing committees, published a newspaper, and also developed the framework that became the Hawaiian Homes Commission Act (HHCA) in 1921. In 1918, Prince Jonah Kuhio Kalanianaole, a U.S. delegate to Congress, founded the Hawaiian Civic Clubs, the goal of which was to perpetuate the language, history, traditions, music, dances and other cultural traditions of Hawaii. The clubs' first project was to secure enactment of HHCA and the clubs remain in existence today.

Efforts to maintain a distinct political community have continued into the present day. Examples include the 1988 Native Hawaiian Sovereignty Conference; the Kau Inoa organization, which registers Native Hawaiians for a movement toward a Native Hawaiian governing entity; the efforts to protect the North Western Hawaiian Islands because of their cultural and traditional significance; the creation in the Hawaii State Constitution of the Office of Hawaiian Affairs, which serves as an entity to protect Native Hawaiian interests; and the development of traditional justice programs, including a traditional method of alternative dispute resolution, ''ho'oponopono,'' which has been endorsed by the Native Hawaiian Bar Association.

Moreover, as the findings of H.R. 2314 explain, the Native Hawaiian people have actively maintained native traditions and customary usages throughout the Native Hawaiian community and the Federal and State courts have continuously recognized the right of the Native Hawaiian people to engage in certain customary practices and usages on public lands.

For example, traditional Native Hawaiian fishing and water rights are protected by state law (Haw. Rev. Stat. § 174C–101(c) & (d) (2008) (stating that certain traditional and customary water rights ''shall not be abridged or denied,'' or ''diminished or extinguished,'' by provision of the State Water Code)]; id. § 187A–23 (1985) (providing for recognition of certain ''vested fishing rights'' linked to ''ancient regulations'').

Hawaii courts have also recognized and upheld traditional gathering and access rights, (See, e.g., Public Access Shoreline Hawaii v. Hawaii County Planning Comm'n, 903 P.2d 1246 (Haw. 1995); State v. Hanapi, 970 P.2d 485 (Haw. 1998); Kalipi v. Hawaiian Trust Co., 656 P.2d 745 (Haw. 1982)). Further, Native Hawaiian traditional practices are often permitted on federal parks land (See, e.g., 16

U.S.C. § 396d (KalokoHonokohau National Historical Park). These practices and legal protections further reinforce the Native Hawaiian community's continuing status as a distinctly native community.

Congress has recognized the distinct status of the Native Hawaiians by ''extend[ing] services to [them]'' on the basis of that status, recognizing that they are ''the native people of a prior-sovereign nation with whom the United States has a special political and legal relationship.'' (See, e.g., Brief of United States at 4–5 & nn.2–4, Rice v. Cayetano, 528 U.S. 495 (2000) (noting that Congress has ''established special Native Hawaiian programs in the areas of health care, education, employment, and loans,'' ''has enacted statutes to preserve Native Hawaiian culture, language, and historical sites, and ''by classifying Native Hawaiians as 'Native Americans' under numerous federal statutes, . . . has extended to Native Hawaiians many of 'the same rights and privileges accorded to American Indian, Alaska Native, Eskimo, and Aleut communities' '' and collecting examples of these congressional acts)).

Other specific examples of Congress' recognition of the distinct status of the Native Hawaiians include the Native American Language Act of 1990, which recognized and clarified the language rights of American Indians, Alaskan Natives, Native Hawaiians, and Pacific Islanders and explicitly allowed exceptions to teacher certification requirements for instruction in Native American languages; the Native Hawaiian Education Act of 1988 (Title IV of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988) which awarded $30 million annually in competitive education grants to programs benefitting native Hawaiian students; the Native Hawaiian Assessment Project of 1983; and special education programs specifically targeting Native Hawaiian students.

As the 1993 Apology Resolution and other recent federal statutes extending educational and health benefits to Native Hawaiians make clear, Congress has found that: (1) Native Hawaiians are ''a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago,'' 42 U.S.C. 11701(1); 20 U.S.C. 7902(1); (2) Native Hawaiians exercised sovereignty over the Hawaiian Islands, 20 U.S.C. 80q–14(11); (3) the overthrow of the Kingdom of Hawaii was ''illegal'' and deprived Native Hawaiians of their right to ''self-determination,'' 107 Stat. 1513; (4) the government installed after the overthrow ceded 1.8 million acres of land to the United States ''without the consent of or compensation to the Native Hawaiian people of Hawaii or their sovereign government,'' id. at 1512; (5) ''the indigenous Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States,'' ibid.; and (6) ''the Native Hawaiian people are determined to preserve, develop and transmit to future generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions,'' id. at 1512–1513.

Those findings demonstrate that indigenous Hawaiians, like numerous tribes in the continental United States, share historical and current bonds within their community. Also like tribes in the continental United States, Native Hawaiians, pursuant to Acts of Congress, have substantial lands set aside for their benefit: 200,000 acres of Homestead Act land on which there are thousands of leases to Native Hawaiians that furnish homes to tens of thousands of Hawaiians, and a 20 percent interest in the income generated by 1.2 million acres of public trust lands under the Admission Act.

The fact that the indigenous Hawaiian community does not presently have a central operating tribal government recognized by the U.S. Department of the Interior does not remove that community from the scope of Congress's Indian affairs power. Initially, the Constitution does not limit Congress's Indian affairs power to groups with a particular government structure. ''[S]ome bands of Indians, for example, had little or no tribal organization, while others were highly organized.'' (Fishing Vessel Ass'n, 443 U.S. at 664). Nor does the Constitution limit Congress's power to groups that continue to exercise all aspects of sovereignty. European ''discovery'' and the establishment of the United States necessarily diminished certain aspects of Indian sovereignty (Johnson, 21 U.S. (8 Wheat.) at 574; Cherokee Nation, 30 U.S. (5 Pet.) at 45). Thus, under the Constitution, ''[f]ederal regulation of Indian tribes . . . is governance of once-sovereign political communities'' (Antelope, 430 U.S. at 646).

Moreover, the United States' authority over Indian affairs does not emanate simply from the Commerce Clause's reference to ''Indian Tribes.'' Rather, the Constitution implicitly gives Congress power to manage Indian affairs more generally (Seber, 318 U.S. at 715; Sandoval, 231 U.S. at 45–46; Kagama, 118 U.S. at 383–384). That power does not disintegrate when an indigenous people loses its formal government structure. In the first place, the loss of a particular form of government is not tantamount to termination of all sovereignty or of the prospect that sovereignty might be given expression in the future through governmental or other structures. In the case of Native Hawaiians, a variety of Native Hawaiian organizations are active in a broad range of Native political, cultural, religious, legal, and land-related matters, and furnish vehicles for the expression of self-determination over important aspects of Hawaiian affairs, and thus confirms that Native Hawaiians constitute a present-day ''political'' community (Cf. 25 C.F.R. 83.7(c)).

Further, the Supreme Court has made clear that a central operating tribal government is not a predicate for legislation on behalf of indigenous people. For example, in John, 437 U.S. at 634, the Court upheld the power of Congress to provide for a group of Mississippi Choctaw Indians that did not have a federally recognized tribal government. The United States had entered into a treaty under which the Choctaw Indians would leave Mississippi by 1833. In the 1890s, however, the United States became aware that a group of Choctaws had not left Mississippi. Even though the United States did not regard that remaining group as members of a federally recognized tribe, it began to provide services and land to individual Choctaws in Mississippi.

In 1939, Congress declared that the lands that had been purchased for individual Choctaws would be held in trust for Choctaw Indians of one-half or more Indian blood, resident in Mississippi, and in 1944, Congress made those lands a reservation. Finally, in 1945, Mississippi Choctaws of one-half or more Indian blood adopted a constitution and bylaws, which were then approved by the appropriate federal officials.

Against that background, Mississippi argued that Congress lacked constitutional authority to establish federal criminal jurisdiction in the Choctaw Reservation (John, 437 U.S. at 652). The U.S. Supreme Court rejected that argument, explaining: ''[I]n view of the elaborate history of relations between the Mississippi Choctaws and the United States, we do not agree that Congress and the Executive Branch have less power to deal with the affairs of the Mississippi Choctaws than with the affairs of other Indian groups. Neither the fact that the Choctaws in Mississippi are merely a remnant of a larger group of Indians, long ago removed from Mississippi, nor the fact that federal supervision over them has not been continuous, destroys the federal power to deal with them.''

I would like to take this opportunity to provide clarification on the legislative intent of H.R. 2314, particularly for Sections 2, 3, 4, 5, 7, 8, and 9. My remarks for Sections 3 and 9 are supplementary to the remarks previously made by Congressman Abercrombie.

SEC. 2. FINDINGS

Section 2 sets forth Congressional findings that support this legislation. These findings, among other things, identify some of the key respects in which Congress has previously legislated for the benefit of the Native Hawaiian people—thereby recognizing them as a distinctly native community and thus within Congress's power to legislate in respect of Indian tribes—and discusses some of the past and current ways in which the Native Hawaiian peoples have preserved their culture, traditions, and identity as a distinctly native people, and given expression to their rights as native peoples to self-determination and self-governance.

SEC. 3. DEFINITIONS

Congressman Abercrombie, the bill's chief sponsor, has extensively discussed this section of the bill. To supplement his remarks, I would like to clarify that Kuleana lands are parcels of land granted to Native Hawaiian tenant farmers between 1850 and 1855. In 1848, in what is known as the Great Mahele, King Kamehameha III divided up land among the Kingdom, high-ranking chiefs, and the territorial government, ''subject to the rights of the native tenants (2 Rev. Laws Haw. 2152 (1925)).

The Kuleana Act of August 6, 1850, provided a process by which native tenants who had occupied and improved the land could apply to the Land Commission for a royal patent and obtain fee title to those parcels of land (Jon J. Chinen, The Great Mahele: Hawaii's Land Division at 29, 31 (1958)). Approximately 28,600 acres of land were awarded under the Kuleana Act (U.S. Departments of Interior and Justice, From Mauka to Makai: The River of Justice Must Flow Freely, at 24 (2000)).

Also, it should be noted that in its tribal acknowledgment process, the U.S. Department of the Interior has repeatedly relied on participation in community organizations as an important indicator of the existence of a distinct community. Community activities that the Department has cited in support of the existence

of a community include churches, organizations devoted to management of group cemeteries, the existence of organized social functions or collective economic activity, and organized participation in political activities and debate (Branch of Acknowledgment and Research, Acknowledgment Precedent Manual at 26–32 (2002)).

For example, in concluding that it was appropriate to acknowledge the Jena Band of Choctaw Indians as a sovereign Tribe, the Department cited, among other considerations, the Tribe's collective maintenance of a cemetery and associated traditional practices, and the existence of a Tribal organization that "conducts Choctaw language and history classes at the tribal center after school hours and during the summer" (Proposed Finding for Federal Acknowledgment of the Jena Band of Choctaw Indians, 59 Fed. Reg. 54,496 (Oct. 31, 1994); see also 60 Fed. Reg. 28,480 (May 31, 1995) (final acknowledgment)). Likewise, the ability of leaders to organize a community to address a particular issue has been cited as evidence of the existence of internal political organization, another criterion for acknowledgment. For example, the Acknowledgment Precedent Manual cites the ability of a Narragansett leader to organize opposition to the draining of a cedar swamp as evidence supporting acknowledgment of that group ((Branch of Acknowledgment and Research, Acknowledgment Precedent Manual at 40 (2002)).

SEC. 4. UNITED STATES POLICY AND PURPOSE

In Section 4, the United States reaffirms its political and legal relationship with the Native Hawaiian people, and the distinct nature of the Native Hawaiian community. Section 4 also explains that Congress is exercising its ability to enact legislation directed to Native Hawaiians, and reaffirms that Native Hawaiians have an inherent right to autonomy in their internal affairs and an inherent right to self-determination and self-governance.

In acting to promote Native Hawaiian autonomy and self-government, Congress is acting in accord with the United States' policy over the last several decades toward Indian tribes generally (See, e.g., Indian Self-Determination and Education Assistance Act of 1975, Pub. L. No. 93–638, 88 Stat. 2203 (codified as amended at 25 U.S.C. §§ 450–458bbb–2 (2007) (recognizing the obligation of the United States to advance Indian "self-determination by assuring maximum Indian participation in the direction of . . . Federal services to Indian communities so as to render such services more responsive to the needs and desires of those communities"); Indian Financing Act of 1974, as amended, 25 U.S.C. § 1451 (2007) (expressing Congress's policy ". . . to help develop and utilize Indian resources . . . to a point where the Indians will fully exercise responsibility and management of their own resources"). See also Executive Order 13175, 59 Fed. Reg. 22951 (Nov. 9, 2000) ("The United States recognizes the right of Indian tribes to self-government and supports tribal sovereignty and self-determination.")).

SEC. 5. UNITED STATES OFFICE FOR NATIVE HAWAIIAN RELATIONS

The United States Office for Native Hawaiian Relations, established by section 5, and the Native Hawaiian Interagency Working Group, established by section 6, are required to consult with the Native Hawaiian governing entity on federal programs or policies that may affect Native Hawaiian rights, resources, or lands. The nature and form of this consultation is expected to parallel the consultation process for Indian tribes, which is guided presently by the requirements of Executive Order 13175 and by the President's November 5, 2009 memorandum on the implementation of that Order. Executive Order 13175 requires that federal agencies have in place a process to allow meaningful input from tribes in the development of regulations and policies that have significant implications for tribes. The Hawaii Congressional Delegation anticipates that the consultation envisioned by this section will proceed in a similar manner.

SEC. 7. DESIGNATION OF DEPARTMENT OF JUSTICE REPRESENTATIVE

This section provides for the U.S. Department of Justice to designate an official to assist the Office of Native Hawaiian Relations in carrying out its functions. The Department of Justice already has an office that performs a similar function with respect to the Department's relationship with Indian tribes, the Office of Tribal Justice. The Hawaii Congressional Delegation anticipates that the official designated under this section will carry out his or her functions in a similar manner.

SEC. 8. PROCESS FOR REORGANIZATION OF NATIVE HAWAIIAN GOVERNING ENTITY AND REAFFIRMATION OF SPECIAL POLITICAL AND LEGAL RELATIONSHIP BETWEEN THE UNITED STATES AND NATIVE HAWAIIAN GOVERNING ENTITY.

Federal recognition of a Native Hawaiian governing entity does not occur immediately upon enactment of the bill. Only after the certification requirements described in section 8(c)(4) are met would the United States reaffirm its special political and legal relationship with the Native Hawaiian governing entity, and extend federal recognition to the Native Hawaiian governing entity. Sec. 8(c)(6).

Section 8 sets out the process for the reorganization of the single Native Hawaiian governing entity. As previously discussed, Congress has a long history of enacting such legislation under its Indian affairs power. The process in H.R. 2314 for recognizing a Native Hawaiian self-governing entity is analogous to the process established by prior tribal reorganization legislation, and also to the process by which the United States recognizes Indian tribes.

For example, H.R. 2314 would establish a "roll of Native Hawaiian constituents" that would define initial membership in the Native Hawaiian self-governing community based on lineal descent and continued connection to the Native Hawaiian community and Native Hawaiian lands. Prior tribal restoration acts have similarly relied on an initial roll in determining eligibility to participate in tribal reorganization elections (See, e.g., 25 U.S.C. § 711b(a) & (b)).

Current federal regulations similarly require newly recognized tribes to submit a "base roll" of members, and these rolls can be based in part on rolls prepared by the Department of the Interior for purposes of federal allotments (See 25 CFR §§ 83.7(e)(1)(i), 83.12(b); see also 25 U.S.C. § 476(a) ("Indian Reorganization Act of 1934") (providing that Indian Tribes "shall have the right to organize for its common welfare, and may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe . . . at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe")).

Section 8 goes on to provide for verification of eligibility by a Commission established by the Secretary of the Interior, and an initial election for members of a Native Hawaiian Interim Governing Council through a series of meetings organized by the Commission in consultation with the Secretary. It also provides that the Council, after developing organic governing documents, shall submit them to the Secretary for certification. These procedures closely track the procedures set forth in previous reorganization legislation enacted with respect to Indian tribes (See, e.g., 25 U.S.C. § 711a et seq.).

In general, Section 8 calls for the federal government to play a relatively minor role in setting the rules for the election of officers of the Native Hawaiian governing entity. In particular, while the federally created Commission will call an initial meeting for persons on the roll, it is these roll members who will determine the criteria for candidates to serve on the Council, determine the structure of the Council, and elect its members. The degree of federal involvement contemplated by H.R. 2314 is thus consistent with the historical role Congress has played in assisting Indian tribes in reorganizing politically (See 25 U.S.C. § 476(a) (noting that special elections for ratifying tribal constitutions and bylaws may be "authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe"); 25 U.S.C. § 711a et seq).

SECTION 8(B). COMMISSION.

Section 8(b) provides for the creation of a Commission to oversee the preparation of a roll of qualified Native Hawaiian constituents. As specified in section 8(b)(2), the Commission is expected to be an expert body, with particular expertise in Native Hawaiian genealogy and culture. The Hawaii Congressional Delegation recognizes that the task of compiling a roll of qualified Native Hawaiian constituents is likely to be complex, and may require technical decisions as to which individuals have a sufficient connection to the Native Hawaiian community, based on the criteria set forth in this legislation.

Relevant types of determinations will include decisions as to which types of documentation are sufficient under section 8(c)(1)(C), and as to how the definition of "qualified Native Hawaiian constituent" that appears in section 3(12) will be interpreted and applied. The Commission, as the expert body with authority to compile the roll, is charged with resolving these questions. The Hawaii Congressional Delegation expects that courts and government agencies will accord significant deference to the Commission's expert decisions, and will allow the Commission to make eligibility decisions in the first instance. There is a provision in section 8(c) for an administrative appeal for any person whose name is excluded from the roll.

Moreover, the Hawaii Congressional Delegation emphasizes that the Commission is expected to complete a roll of qualified Native Hawaiian constituents without delay, in order to allow the organizing process set forth in section 8 to proceed on schedule. The Delegation anticipates that the Commission will establish appropriate deadlines, rules of procedure, and other requirements to allow the timetables set forth in this legislation to be met

while giving due consideration to the claims of those seeking to be included on the roll.

SEC. 8(C). PROCESS FOR REORGANIZATION OF NATIVE HAWAIIAN GOVERNING ENTITY.

Sec. 8(c)(1) Roll: The sole purpose of the roll established by the Commission is to compile a list of those qualified Native Hawaiian constituents who can take part in the initial reorganization of a Native Hawaiian government.

Sec. 8(c)(1)(C)(III): Permits elderly Native Hawaiians and other qualified Native Hawaiian participants lacking birth certificates or other documentation due to birth on Hawaiian Home Lands or other similar circumstances to establish lineal descent by sworn affidavits from two or more qualified Native Hawaiian participants. This provision was included to address cases of hardship, and is not expected to be applied routinely. The Hawaii Congressional Delegation anticipates that the Commission will establish specific prerequisites allowing individuals to demonstrate that they are unable to obtain a birth certificate.

Sec. 8(c)(1)(I): Directs the Commission to publish the notice of the certification of the roll ''regardless of whether appeals are pending.'' This provision is meant to ensure that challenges to the roll do not delay organization of the Native Hawaiian governing entity. The Hawaii Congressional Delegation emphasizes the importance of the deadlines established by this legislation. Barring unusual circumstances, the existence of pending disputes as to the inclusion of particular individuals on the roll should not be allowed to delay the reorganization process set forth in this section.

SEC. 9. REAFFIRMATION OF DELEGATION OF FEDERAL AUTHORITY TO STATE OF HAWAII; GOVERNMENTAL AUTHORITY AND POWER; NEGOTIATIONS; CLAIMS

Congressman Abercrombie has also extensively discussed Section 9 of H.R. 2314. To supplement his remarks, I would like to add that ''Indian country'' is a term codified by federal statute (18 U.S.C. 1151). Although section 1151 defines ''Indian country'' for the purpose of delineating the scope of federal criminal jurisdiction over Indians, the Supreme Court has applied the definition to determine the scope of tribal territorial jurisdiction, as well (Alaska v. Native Village of Venetie, 522 U.S. 520, 527 (1998); DeCoteau v. District County, 420 U.S. 425, 427, n.2 (1975)).

Because section 1151 expressly refers to ''Indian country,'' ''Indian reservation[s],'' ''dependent Indian communities,'' and ''Indian allotments''—but never refers expressly to ''Native Hawaiians'' or to the ''Native Hawaiian governing entity''—the bill neither creates nor recognizes any ''Indian country'' within the State of Hawaii (See Sec. 10(c)(2)). The scope of the Native Hawaiian governing entity's jurisdiction could be changed by further legislation, including legislation enacted to implement an agreement negotiated under paragraphs (1) and (2) of section 9(c).

Likewise, the Secretary of Interior lacks statutory authority to take land into trust on behalf of the Native Hawaiian sovereign. Such authority will only exist if Congress specifically provides for it in future legislation. Nor would such territorial jurisdiction arise by another method, absent express Congressional direction.

There has been extensive litigation relating to land claims, claims for money damages, and other types of claims, dating back at least to 1910 (E.g., Hawaii v. OHA, 129 S. Ct. 1436 (2009); Han v. Department of Justice, 824 F. Supp. 1480, 1486 (D. Haw. 1993), affd, 45 F.3d 333 (9th Cir. 1995); Keaukaha-Panaewa Community Ass'n v. Hawaiian Homes Comm'n, 588 F.2d 1216, 1224 n. 7 (9th Cir. 1979); Naiwiona Kupuna O mokapu v. Dalton, 894 F. Supp. 1397 (D. Haw. 1995); Liliuokalani v. United States, 45 Ct. Cl. 418 (1910). See also Burgert v. Lokelani Bernice Pauahi Bishop Trust, 200 F.3d 661 (9th Cir. 2000); 'Ohana v. United States, 76 F.3d 280 (9th Cir. 1996); Price v. Akaka, 3 F.3d 1220 (9th Cir. 1995); Ulaleo v. Paty, 902 F.2d 1395 (9th Cir. 1990); Territory v. Kapiolani, 18 Haw. 640, 645–46 (1908); Territory v. Puahi, 18 Haw. 649 (1908); Bush v. Watson, 918 P.2d 1130 (Haw. 1996); Aged Hawaiians v. Hawaiian Homes Comm'n, 891 P.2d 279 (Haw. 1995); Bush v. Hawaiian Homes Comm'n, 870 P.2d 1272 (Haw. 1994); Pele Defense Fund v. Paty, 837 P.2d 1247 (Haw. 1992)).

The Hawaii Congressional Delegation envisions that issues concerning asserted historic or moral claims may be the subject of negotiations among the new Native Hawaiian governing entity, the State of Hawaii, and the United States, together with the other issues encompassed within the process set forth in section 9(c) of this Act, and that such negotiations will provide an appropriate forum in which to address these claims questions. H.R. 2314 will not limit claims by the Native Hawaiian governing entity that first arise after recognition of the Native Hawaiian governing entity.

In closing, I thank my colleagues for their votes in support of Native Hawaiians, who, like American Indians and Alaska Natives, have an inherent sovereignty based on their status as indigenous, aboriginal people. Mahalo nui loa (thank you very much).

TRIBUTE TO J. WILLIAM ''BILL'' TAYLOR

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to a good friend, Cheraw, South Carolina's 2009 Citizen of the Year, Mr. J. William ''Bill'' Taylor. Mr. Taylor received the Cheraw Chamber of Commerce's award last November.

Bill Taylor was recognized with this distinguished honor for the tremendous work he has done for nearly 29 years as Cheraw's town administrator. He has served in the post under four mayors and numerous members of the town council. Another longtime personal friend, Howard Duvall, the former Cheraw Mayor who hired Bill in May 1981, presented the Citizen of the Year award to him.

Duvall characterized Bill's greatest strength as his management style. He has instilled loyalty and respect among his staff, which has resulted in low turnover and many department heads who have worked for him nearly 20 years. Among his other accomplishments are erecting the Dizzy Gillespie statue honoring the hometown jazz legend, and the development of the Carolina Centre Industrial Park, the Cheraw Community Center, Arrowhead Park, and the Theatre on the Green. Bill earned a Bachelor's degree from Clemson University and a Master's in Public Administration from the University of Georgia. He came back to South Carolina to work for the Upper Savannah Council of Governments. He later worked for the city of Lancaster before becoming Cheraw's town administrator.

He is very involved in the community serving as a former president of the Cheraw Rotary Club, former chairman of the South Carolina Cotton Trail Committee, and as a former board member for the Girls Scouts of Eastern South Carolina. He is a current board member for the South Carolina Advanced Technology Education Center and is a member of the Cheraw Economic Development Corporation, the Carolinas Centre Industrial Park Corporation, and the Chesterfield County Extension Advisory Council.

Bill is also a member of a number of professional organizations including the Alliance for Innovation and the Governor's Drought Response Committee. He serves as the southeastern regional vice president for the International City & County Management Association and is a former member of the organization's executive board. He is also a former state president of the South Carolina City and County Management Association and is a graduate of the South Carolina Executive Institute. Bill and his beloved wife, Mindy, have three children—Olivia, Katie, and Brandon.

Madam Speaker, I ask you and my colleagues to join me in congratulating Bill Taylor on his selection as Cheraw's 2009 Citizen of the Year. This honor is recognition of his long commitment of service to his community and its people. I believe that the highest compliment you can be paid for your work is to be recognized by your peers. This award shows that Bill Taylor's peers appreciate his nearly 29 years of dedication and service. I am pleased to add my voice to those in Cheraw in thanking Bill Taylor for his tremendous contributions.

RECOGNIZING WOLCOTT MILL METROPARK

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mrs. MILLER of Michigan. Madam Speaker, I rise today to honor and recognize Wolcott Mill Metropark in Ray Township, Michigan. On December 8, 2009, Wolcott Mill was listed on the National Historic Places Register thanks to the hard work of volunteer Kathie Lucas of Armada and Supervising Interpreter Bill Thomas.

Wolcott Mill Metropark is a 2,380 acre park which includes a 250 acre working farm, an 18 hole golf course, 10 miles of equestrian trails, and is the home of ''Camp Rotary,'' a camping area for organized youth groups. In 1847 the namesake mill was built and continued operating as a grain grinder until 1967.

This machinery is still viewable and offers visitors an opportunity to see firsthand the importance of old mills and the antique farming equipment used.

I am proud to have Wolcott Mill Metropark in my congressional district and I congratulate the Huron-Clinton Metropolitan Authority on this historic occasion.

Madam Speaker, I ask my colleagues to join me in honoring Wolcott Mill Metropark and congratulating them on this recognition.

HONORING ED GOTTHARDT

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CUELLAR. Madam Speaker, I rise today to honor the contributions of the late Ed Gotthardt, former Mayor of Seguin, Texas. Mayor Gotthardt served the community through his distinguished business career and great service as mayor for two terms in Seguin, Texas.

Mayor Gotthardt was born on January 1929 in Galle, Texas and passed away of natural causes February 2010 in New Braunfels, Texas. His accomplished lifetime as a businessman and mayor stemmed from his humble beginnings. His childhood was spent on a farm in Galle in a town between Seguin and San Marcos where he learned about produce. He received his education in the public schools of Guadalupe County, where he graduated from high school. At the age of twenty-one, the late Gotthardt was hired as a produce worker at a local grocery store. With a twelfth grade education, he rose through the ranks to store manager, unit director, to the corporate office as a buyer and then as Vice President of Produce Marketing. In the 1980s, he retired having lived during his career throughout the area in Seguin, San Antonio, and Corpus Christi. The late Gotthardt had a thirty-seven year career in the grocery business before serving two three-year terms as Mayor. After his retirement, he later served as President of the H-E-B grocery store retirees' organization.

In 1990, Gotthardt announced that he planned to run for mayor of Seguin. He had not previously held any position in public office, but his involvement with the community and commitment to the people of Seguin aided to his election. His re-election was without opposition, serving as mayor until 1996. During his time in office, Mayor Gotthardt contributed to the city by ensuring that the Sebastopol State Historical Park in Seguin was renovated and dedicated much of his work for those who served their country in the military. He worked on the Veterans Memorial at the Guadalupe County Courthouse extensively. The late Mayor Gotthardt was recognized for his tireless efforts to ensure the community and people were provided the services needed.

Along with his business career and terms as Mayor of Seguin, the late Gotthardt was a member of Seguin Masonic Lodge AF&AM 109, Alzafar Shrine, Elks Lodge 1229, Order of the Eastern Star Chapter 555, the Seguin Chamber of Commerce, the Seguin Rotary Club and the Comal County Seniors Center. His leisure time was spent with the Seguin Chamber of Commerce, senior center, and with his family.

Madam Speaker, I am honored to have had this time to recognize the late Ed Gotthardt, former Mayor of Seguin, Texas on his contributions to the community. I thank you for this time.

COMMENDING THE NORTH CLACKAMAS CHAMBER COMMUNITY SAFETY HONOREES

HON. KURT SCHRADER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. SCHRADER. Madam Speaker, for the third year, the North Clackamas Chamber of Commerce in my district is holding a Community Safety Luncheon to recognize the members of the community whose actions have improved public safety in our local neighborhoods. For some of these men and women, they're first responders and public safety employees who regularly go above and beyond the call of duty in their jobs. For others, they are tireless volunteers, giving up hours of their free time to improve the lives of their neighbors. But all of them are being recognized today because of the importance of what they do and because the support of community members like these is key to the success of public safety departments throughout the country.

I'd like to take a minute to recognize the brave and selfless men, women and organizations who are being honored by the North Clackamas Chamber today:

American Medical Response River Rescue, which worked to turn a local community swimming hole on the Clackamas River from a dangerous site where drowning deaths were an all too regular occurrence to a safe swimming location for the community.

Amy Bullard, a retired teacher from the Oregon Trail School District, who helped train over 1,000 students at Sandy High School in lifesaving skills when she incorporated CPR and first aid training into the tenth grade health classes.

Damascus Community Church, which has hosted shelter trainings and been a leader in the community in emergency management operations with their participation in community safety events.

Angela Fox, publisher of the Clackamas Review and Oregon City News, who works to provide the community with in-depth reporting on public safety issues, using the media to educate and inform the public.

Olga Gerberg, a volunteer from Sandy who has coordinated bike helmet fitting and child safety seat inspection workshops for the local community and regularly reaches out to her neighbors to share safety information about available resources and services.

Tom Hogan, the volunteer coordinator for the Gladstone Emergency Management Support team who volunteers his time to improve emergency preparedness in the community, training other volunteers and working to bring grant funding to the community.

Dale Kim, with the Clackamas County Juvenile Department, who serves as the lead organizer for the Sandy Youth Service Team and whose work reaching out to at-risk youth and intervention and prevention services have helped countless community youth. The Milwaukie Public Safety Foundation, which has raised over $20,000 to start a K–9 program for the Milwaukie Police Department and supports the department by conducting an annual Office of the Year function and a Parent Awareness Night.

Jeff Oliver, with the Lake Oswego Police Department, who volunteers to assist at the monthly Child Safety Seat Fitting Station and has trained, certified, and re-certified 36 CPS technicians in North Clackamas County.

Portland Mountain Rescue, a volunteer organization that provides specialized search and rescue services to Mt. Hood and other areas in the region and participated in 10 mountain rescues in 2008, in addition to providing outdoor and wilderness safety training to the community.

And Larry Alexander, from the Boring Water District, who is the first recipient of the North Clackamas Chamber's Shining Star Safety Award, for his work in securing funding for the water district as well as his work in establishing an effective notification system to notify all Boring Water customers of an emergency in under one minute. He's also been an active volunteer in his home community, starting a neighborhood watch with the Clackamas County Sheriff's Office.

To these men and women as well as every other community safety volunteer who does their part to keep our neighborhoods safe, I say thank you for all that you do.

RECOGNIZING THE DIFFICULT CHALLENGES AND HEROISM OF BLACK VETERANS

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. RANGEL. Mr. Speaker, I rise today to recognize the challenges and difficulties that our Black veterans encounter as they embark on reintegrating to civilian life. I would also like to commend the Honorable LARRY KISSELL for introducing H. Con. Res. 238, and his conviction on recognizing the importance of their military sacrifices and patriotism.

The story of the African American soldier is one of extraordinary faith, hope and determination in the face of bitter disappointment over denial of their well-earned rights to full citizenship. It is a story of inspiration, leadership and a refusal to accept ''no'' for an answer. Ultimately, it is a story of their victory over legal segregation and discrimination. Their story speaks of their long struggle for equality and willingness, in each instance, to forsake violence in their struggle for justice.

Black Americans have fought for their country going back to the Revolutionary War when 5,000 Black men risked their lives in the cause of independence. Serving in the Continental Army, mostly as infantry and artillerymen, they fought in the first battles at Lexington and Concord, and crossed the Delaware with George Washington. Overwhelmingly, they resisted the enticements of the British enemy, who offered promises of freedom if they would join the Redcoats. Yet, after the victory, the first of Black America's military heroes were met, not with parades or accolades, but with whips and chains as they as they surrendered their weapons for bondage on the plantation.

African Americans also served in the War of 1812 when the Battalion of Free Men of Color helped to save New Orleans in a counter-attack against the British invaders. The nation reneged on the rhetoric of General and later president Andrew Jackson who told the Black fighters, ''You surprised my hopes. The nation will applaud your valor.''

Fifty years later, in the Civil War, 200,000 Black men took up arms and manned military vessels, one out of ten of the entire Union army. Among the most famous was the 54th Massachusetts Infantry Regiment, which gained its modern-day fame in ''Glory,'' a movie depiction of their heroic attack in the first wave of the assault on the beaches of Charleston. The regiment was wiped out.

Black soldiers not only had fought well, they provided the margin for victory when finally called upon as reinforcements by President Lincoln to bolster the devastated Union army. But even following this victory in the Civil War, when they fought not just to preserve the Union but to end slavery in the existing states, the nation went back on its promises. While Emancipation had ended the evil practice of legal slavery and allowed a short breathing space of freedom and political participation, less than two decades later Black Americans were bound by the new set of legal shackles of Reconstruction and Jim Crow.

Regardless of these negative circumstances, Black troops broke the societal constraints. One such group, the 369th Harlem Hellfighters, was the first African American Regiment during World War I. Faced with surmounting discrimination and rabid racism in the U.S., they were sent to fight with the French troops against the Germans. Not only did these Black troops serve the longest stretch in battle without replacement, 191 days, they did not lose ground or men to enemy capture. This all Black unit earned the Croix de Guerre, France's highest military honor, yet upon returning to their homes in the U.S., they were vilified and discriminated against as they had been before the war.

Again, during World War II, our Black soldiers proved their loyalty and commitment to the United States. The Tuskegee Airmen, America's first Black military airmen, helped break through the constraints of a segregated military when, inspired by their bravery and achievements, President Truman promulgated Executive Order Number 9981 in 1948. Many of these Black veterans fueled the Civil Rights movement through their courage and strength to change the status quo and fight for equality.

Black Veterans have time and time again proven their loyalty and patriotism to a country they were instrumental in building. They have led the charge in breaking the shackles of slavery and discrimination. We must stand in support of our brave men and women in the Armed Forces as they return in increasing numbers to find that their employment prospects are limited. Others are suffering the detrimental effect of multiple deployments and PTSD.

It is our duty as a nation to assist those who have so valiantly fought for our freedoms by providing the tools necessary for them to fairly compete in the job market whether it is psychological counseling for trauma experienced while in combat or job training to bolster the unique skill sets they have acquired during their time in the service.

HONORING JAMES CARELLO

HON. ERIC J.J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. MASSA. Madam Speaker, I rise today to congratulate and pay tribute to a fine American, James Carello, on an occasion when he and his business have received a prestigious honor: the International Circle of Excellence Award for 2009.

The Circle of Excellence, which is awarded by the International dealer organization of Navistar, Inc., honors International truck dealerships that achieve the highest level of dealer performance with respect to operating and financial standards, market representation, and most importantly, customer satisfaction. It is the highest honor a dealer principal can receive from the company.

Mr. Carello's business, Regional International Corporation, is headquartered in Henrietta, New York. Under his leadership, it has grown into one of the preeminent truck dealerships in western New York, with 160 employees and two secondary locations in Buffalo and Geneva. Jim is a recognized leader in the industry, as Regional spent six years on the Rochester Top 100, a listing of privately-owned companies recognized in the area. With this most recent award, Regional International has now received the Circle of Excellence Award a total of seven times.

An International dealer since 1989, Jim is a member of International's Dealer Development and Systems Advisory Board. Jim has achieved this level of accomplishment and recognition through years of hard work and service to his industry and community. An avid sports fan, Jim can frequently be found cheering for his favorite NASCAR driver or the Buffalo Bills. He also has a keen interest in a variety of other vehicles, including a 1934 Ford roadster, a customized motorcycle and two show trucks called Mayhem and Bad Habit. Both of his children, Jason and Gina, are now active in running the business, becoming the next generation of participants. Jim and his wife Lyn dote on their two grandchildren.

Through his dedication, hard work and outstanding customer service, he has built an economically vital business of which he can be justly proud. On behalf of the 111th United States Congress, I congratulate Mr. James Carello for his record of accomplishment.

THE TEJANO MUSIC INDUSTRY

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. RODRIGUEZ. Madam Speaker, I rise today in recognition of 30 years of honors by the Texas Talent Musician's Association. This San Antonio-based non-profit organization promotes excellence in the Tejano Music Industry.

Tejano music is known for its modern sound with influences from cumbia, rock and blues. This type of music originated along the Mexico-Texas border during the time of the Mexican-American Revolution in the 1840s. Not only is it a combination of different sounds, but also a fusion of Mexican, Texan, and even Eastern European cultures. Songs within Tejano music are known to be passed down from generation to generation, making sure those epic stories about political leaders, history, and current times are consistently being told through song. Tejano Music is truly an original American art form.

It is impossible to talk about Tejano music without mentioning Selena Quintanilla Perez, the ''Queen of Tejano Music.'' Selena was a proud Mexican-American woman who was born and raised in Texas. Although she did not speak Spanish, most of her music was in Spanish. She performed from the age of 8 until her death at the age of 23. In 1987 she won Female Vocalist of the Year at the Tejano Music Awards. Selena's contributions to the music industry are legendary and are commendable.

The Texas Talent Musicians Association has hosted the Tejano Music Awards every year since 1980. This year the 30th annual Tejano Music Awards will take place on July 11th in San Antonio, Texas, proudly known as the ''Tejano Music Capital of the World''.

Madam Speaker, on behalf of the United States Congress, I am privileged to recognize Tejano Music as truly an original American art form, Selena Quintanilla Perez as a legend of Tejano Music, and the Texas Talent Musician's Association for their international promotion of Tejano Music.

TRIBUTE TO DEMERY ORMROD OF ORANGE, CONNECTICUT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Ms. DELAURO. Madam Speaker, I rise today to congratulate Demery Ormrod of Orange, Connecticut, a young woman from my district who, by virtue of her strong commitment to volunteer service, has been named a winner of a 2010 Prudential Spirit of Community Award.

An eighth grader at Amity Middle School, Demery raised more than $20,000 to help provide cleft palate and lip surgeries for 86 children through the charitable organization Smile Train. She began these efforts while still in elementary school, making bookmarks, lollipops, cookies, and jewelry with her friends, which she then sold at her family's restaurant.

When news of Demery's good works spread throughout the community, other schools got involved, local businesses offered matching funds, and strangers sent along checks, all to help the cause. The playwright Henrik Ibsen once said that ''A community is like a ship—Everyone ought to be prepared to take the helm.'' And that is exactly what Demery has accomplished here. Because she was moved to help children less fortunate than herself, and because she took the extra step to get involved on their behalf, Demery took the helm of her community, and ignited the whole State of Connecticut behind her efforts.

Demery is a perfect candidate for this Spirit of Community Award, and a great representative for the importance of volunteers. Created by Prudential Financial, in partnership with the National Association of Secondary School Principals, in 1995, to reward youths who give their time and talents back to their community, this award has honored nearly 100,000 young volunteers at the local, state, and national levels over the past 15 years.

I applaud Demery's good works and Prudential's commitment to recognizing her and other students like her. I congratulate her on this award, and I very much hope she continues to give back to the community in the years to come.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mrs. CAPPS. Madam Speaker, I was not able to be present for the following rollcall votes on February 25, 2010 and February 26, 2010; and I would have voted as follows: Rollcall No. 67, ''no''; rollcall No. 68, ''yes''; rollcall No. 69, ''yes''; rollcall No. 70, ''yes''; rollcall No. 71, ''yes''; rollcall No. 72, ''no''; rollcall No. 73, ''yes''; rollcall No. 74, ''yes.''

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES ON RELIGIOUS MINORITIES IN IRAQ

SPEECH OF

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. LEVIN. Madam Speaker, I rise in support of H. Res. 944, which recognizes the persecution and displacement of ethnic and religious minorities in Iraq. This resolution calls on the Iraqi and United States governments to better protect the rights of persons of all ethnicities and religions.

This resolution comes as the Chaldean community mourns the two-year anniversary of the murder of Archbishop Paulos Faraj Rahho. Archbishop Rahho dedicated his life to the Chaldean Church in Mosul and sought to build interfaith relationships while advocating for the inclusion of Chaldeans and other vulnerable populations in the new Iraqi state.

These vulnerable populations include Chaldeans, Assyrians, Turkmen, Sabean Mandeans, Yazidis, and Syriacs. Their unique languages and histories are among the oldest of the Mesopotamian region. Together, they represent the richly diverse heritage of Iraq.

Since 2003, however, members of their communities have suffered marginalization, harassment, and violence. Many have been forced to seek safety away from their homes, often outside the country's borders. Ethno-religious minorities formerly comprised approximately five percent of Iraq's population; today, they comprise almost twenty percent of all Iraqi refugees registered with the United Nations Refugee Agency.

Minorities fear such rates of displacement threaten the very future of their communities. Continued sectarian violence prevents the free exercise of religion, cultural expression, and political participation that are fundamental to democracy. This resolution underscores the importance that Iraq's upcoming elections be free, fair, and safe, and that the rights of its minority populations be protected.

Madam Speaker, I urge my colleagues to join me in supporting H. Res. 944 and in urging meaningful support for Iraq's ethnic and religious minorities.

INTRODUCTION OF THE ''ACTIVE COMMUNITY TRANSPORTATION ACT OF 2010''

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. BLUMENAUER. Madam Speaker, today I am proud to introduce the Active Community Transportation Act, legislation that will provide concentrated, long term funding for communities to implement active transportation systems. Communities across the country are realizing the importance of encouraging active lifestyles, for the health of their citizens, the environment, and the economic strength of the community itself. As only 68 percent of Americans are licensed drivers, we should provide transportation options for those who don't have access to a car, generally the elderly and the young. Since half of the trips taken in the United States today are within a 20-minute bicycle ride, and a quarter of all trips are within a 20-minute walk, there are plenty of opportunities to incorporate walking and biking into Americans' daily lives.

Americans will walk and bike if these modes are made safe and convenient. However, our nation has failed to invest adequately in pedestrian and bicycle networks to make active transportation a viable choice for routine travel. Too often we take for granted the value of being able to bike and walk to work. It is time for the federal government to support infrastructure investments to make walking and biking safe and convenient for all Americans. Investing federal dollars to create walkable and bikeable communities is also a cost-effective way to create jobs and transportation choices. In my hometown of Portland, Oregon, our investment of $60 million created 274 miles of bike lanes, more than doubled the amount of people who commute by bike and provided between 850 and 1,150 jobs. This is just one of many stories I have heard about the impact that active transportation infrastructure has on people's health, their daily lives, and their pocketbooks.

The Active Community Transportation Act will help communities to implement comprehensive, strategic active transportation systems to make walking and bicycling safe, accessible and convenient for Americans, thereby increasing activity levels, lowering emissions and creating healthier, more vibrant communities.

RECOGNIZING THE AQUARIUM OF THE PACIFIC

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Ms. RICHARDSON. Madam Speaker, I rise today to salute the Aquarium of the Pacific located in my community of Long Beach, California, for receiving the prestigious Super Nova Star of Energy Efficiency from the Alliance to Save Energy, a coalition of prominent business, government, environmental, and consumer leaders who promote the efficient and clean use of energy to benefit consumers, the environment, economy, and national security. Each year the Alliance to Save Energy recognizes companies, learning institutions, state offices, and government programs for their efforts to promote energy efficiency domestically and globally. My constituents at the Aquarium of the Pacific received the Super Nova Star Award on September 17, 2009, at the Alliance to Save Energy Gala in Washington, DC.

Madam Speaker, the Aquarium was chosen for this globally recognized award because it is the most energy efficient business in the Nation with annual revenues under $50 million. The Aquarium became the first among museums, zoos, and other aquariums in this country to certify its greenhouse gas emissions with a third-party, the California Climate Action Registry. This led to its being named as a Climate Action Leader with the Climate Action Registry in 2007. The Aquarium of the Pacific has used energy-efficient practices to maintain steady kilowatt-hour usage for the past 8 years despite rising visitor numbers.

It is no surprise to me that the Aquarium of the Pacific received such a prestigious award because it is a pioneer of marine education and energy efficiency in my district. In 2008, the Aquarium inaugurated a new environmental classroom that was recognized as Long Beach's first LEED-platinum certified building. The classroom achieved LEED-platinum certification because it uses solar power, a green roof, a rainwater capture system, and a highly efficient pool pump, among other energy and water efficiencies. The Aquarium is committed to achieving LEED platinum or gold certification for all future projects and is setting an excellent example for how other businesses and institutions in my district can prioritize and achieve energy efficiency.

Madam Speaker, the Aquarium of the Pacific is a vital part of my constituents' community environmental conservation efforts. The Aquarium's Green Team task force organizes environmentally friendly activities such as an annual street cleanup day, an Earth Day festival, a sustainable seafood initiative, and a watershed and ocean literacy program. As the Aquarium continues to grow, one of the underlying objectives of the master plan is to increase attendance by expanding the facility's capacity and conservation programs without increasing energy and potable water usage.

Madam Speaker, I also want to commemorate the Aquarium of the Pacific for its ongoing efforts to broaden the public's understanding of the Pacific Ocean and its complex ecosystem. The Aquarium's mission is to instill a sense of wonder, respect, and stewardship for the Pacific Ocean, its inhabitants, and ecosystems. It is the largest aquarium in Southern California and the fifth largest in the nation. With 200,000 school children visiting annually, the Aquarium of the Pacific provides a fun and educational experience for students of all ages and backgrounds through its interactive exhibits and daily presentations. The Aquarium hosts a variety of educational programs, cultural festivals, classes and courses, offsite field trips, and renowned guest speakers to connect Long Beach's diverse community with the Pacific Ocean's diverse ecosystem.

I applaud the Aquarium of the Pacific for its hard work and dedication both to educating the community of Long Beach about marine environments and to mitigating the effects of climate change. I ask my fellow colleagues to

join me in recognizing the Aquarium of the Pacific for having received the high honor of the Super Nova Star of Energy Efficiency.

COMMEMORATING THE SUMGAIT POGROM

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. SCHIFF. Madam Speaker, this past Sunday marked the twenty-second anniversary of the pogrom against Azerbaijanis of Armenian descent in the town of Sumgait, Azerbaijan. The 3-day massacre in the winter of 1988 resulted in the deaths of scores of Armenians, many of whom were burnt to death after being brutally beaten and tortured. Hundreds of others were wounded. Women and girls were brutally raped. The carnage created thousands of ethnic Armenian refugees, who had to leave everything behind to be looted or destroyed, including their homes, cars and businesses.

These crimes, which were proceeded by a wave of anti-Armenian rallies throughout Azerbaijan, were never adequately prosecuted by Azerbaijan authorities. Many who organized or participated in the bloodshed have gone on to serve in high positions on the Azeri government. For example, in the days leading up to the massacre, a leader of the Communist Party of Azerbaijan, Hidayat Orujev, warned Armenians in Sumgait: ''If you do not stop campaigning for the unification of Nagorno Karabakh with Armenia, if you don't sober up, 100,000 Azeris from neighboring districts will break into your houses, torch your apartments, rape your women, and kill your children.'' Orujev is currently the State Advisor for Ethnic Policy to Azeri President Heidar Aliyev.

Despite efforts by the Government of Azerbaijan to cover up the events of February 1988, survivors of the pogrom have come forward with their stories. They told of enraged mobs, which threw furniture, refrigerators, television sets and beds from apartment balconies and set them afire. Armenians were dragged from their apartments. If they tried to run and escape, the mob attacked them with metal rods, knives and hatchets before the victims were thrown into the fire. One witness said of a victim, ''He was still moving, trying to escape from fire, but five young men were pushing him back into the fire with metal rods.'' Others told of Interior Ministry troops, who stood by doing nothing.

The Sumgait massacres led to wider reprisals against Azerbaijan's ethnic minority, resulting in the virtual disappearance of Azerbaijan's 450,000-strong Armenian community, and culminating in the war launched against the people of Nagorno Karabakh. That war resulted in almost 30,000 dead on both sides and created more than one million refugees in both Armenia and Azerbaijan.

This April will mark the 95th Anniversary of the Armenian Genocide, a crime that Azerbaijan's ally and protector Tukey has devoted enormous political resources to deny. Just as we cannot allow the first genocide of the Twentieth Century to fade into history, the memory of the victims of Sumgait must not be forgotten either.

TRIBUTE TO DON THOMPSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CLYBURN. Madam Speaker, I rise today to recognize an accomplished and talented corporate leader who is an outstanding role model as we celebrate Black History Month. Don Thompson is the recently appointed President and Chief Operating Officer for the McDonald's Corporation in Oak Brook, Illinois. Mr. Thompson is in charge of global strategy and operations for McDonald's 32,000 restaurants in 117 countries. He is tasked with maximizing profits for the company's many shareholders across the globe.

Don was raised in Chicago and Indianapolis by his grandmother. He credits his early success to her unwavering commitment to his education and wellbeing. Thanks to her determination and Don's hard work, he graduated from Purdue University with a degree in electrical engineering and got a job at the Northrop Corporation. He joined McDonald's in 1990 as a Restaurant Systems Engineer but soon realized his interest lay in restaurant operations.

In 1993, Don was named Director of Strategic Planning and Quality Management. Since then, he has risen quickly through McDonald's operational structure, performing beyond expectations in each position he has been given. In 1998 he was named the San Diego Regional Manager, a position that put him in charge of 300 area restaurants. Within a year, San Diego went from being McDonald's 39th most profitable market to its 2nd.

Five years later, Don was promoted to the position of Executive Vice President of Global Innovation where he helped expand and improve McDonald's global operations. Under his guidance, foreign branches were retooled to satisfy local palates. McDonald's international sales soon grew as a result and many observers attributed this turnaround to Don's ambitious initiatives.

In 2006, Don became the President of McDonald's USA where he oversaw all of the company's 14,000 American locations. He helped steer the company to several years of positive domestic growth. Last month Don was named to his current position as President and Chief Operating Officer. He now plans McDonald's global strategy and helps execute its implementation.

Don has been recognized for his outstanding work at McDonald's by a number of media outlets and business associations. Black Enterprise named him Corporate Executive of the Year. In 2008 the Trumpet Foundation awarded Don the Corporate Executive award. Last year, he received the Presidential Inspiration Award from Alpha Phi Alpha Fraternity Incorporated.

Along with being a gifted businessman, Don is a committed member of his community and remains true to his humble beginnings. ''Don't get into the pity party of what's going to be done for you, because there are so many things you can do for yourself,'' he has said. ''Others will see what you do and will look to support and help you.'' He currently serves on the board of trustees for Purdue University and is a member of the Executive Leadership Council. He is a former member of the San Diego Ronald McDonald House Charities board of directors.

While reaching the upper echelons of American business, Don has remained a committed family man. He lives in the Chicago area with his wife Elizabeth and their two children.

Madam Speaker, I ask you and my colleagues to join me in congratulating Don Thompson on his recent appointment and the positive example he sets for all Americans. In this month, when we recognize the contributions of African Americans in this country, it is fitting and proper that we include corporate leaders like Mr. Thompson, who have broken barriers and opened doors for future generations to follow. I applaud his extraordinary accomplishments and the wonderful legacy he has built through hard work and perseverance.

EXTEND TAX CREDIT FOR THE PRODUCTION OF STEEL INDUSTRY FUEL

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. DOYLE. Madam Speaker, I rise today to lend my support to a provision in the Extenders Bill that is being debated in the Senate to extend and clarify a tax credit for the production of Steel Industry Fuel, SIF. Last Fall, my colleagues and I introduced a similar bill to extend and clarify the SIF credit. SIF is used by the domestic steel industry as a feedstock for the manufacture of coke, which is coal that has been carbonized and is used as a fuel in steel making.

In October, 2008, Congress enacted a new refined coal tax credit under Section 45 of the tax code for the production of steel industry fuel, which is made from coal waste sludge and coal. The availability of the steel industry fuel tax credit provides a subsidy for projects that may not otherwise be commercially viable on account of materials, process, technology and other transaction costs. As originally enacted, the SIF credit was available for only one year. The placed-in-service period for the credit expired as of December 31, 2009, so new steel industry fuel projects cannot be brought on line without an extension of the credit.

The use of Steel Industry Fuel provides significant energy, environmental, and economic benefits, all of which argue for an extension of the SIF credit. The primary benefit of manufacturing SIF is that the production process recaptures the BTU content of coal waste sludge. The Environmental Protection Agency has approved the production of SIF as a method for disposing of coal waste sludge, and the production of SIF is the preferred method of coal waste sludge disposal. In addition, our domestic steel industry can become more competitive by using SIF because it lowers production and operation costs.

From an energy resource and environmental standpoint, the production of SIF is the superior method of disposing of coal waste sludge, it would otherwise be treated as a hazardous waste under applicable Federal environmental rules. The alternative methods of disposal are incineration and land-filling, each of which requires the physical conveyance of a waste product off-site. These disposal methods fail to

recapture the energy content of the coal waste sludge because the coal waste sludge, which has a high BTU content, is not used as a fuel.

An extension of the Steel Industry Fuel tax incentive is of critical importance in the current economic downturn, and its expiration has had a negative impact on our domestic steel industry. Steel companies and coke plant operators have suffered large losses as steel demand has declined significantly. These companies have been forced to lay off thousands of workers in my State of Pennsylvania, as well as in Illinois, Indiana, Michigan, Ohio, West Virginia, Kentucky, and elsewhere. Domestic steel manufacturers have had to operate at low capacity utilization rates and coke batteries have been placed on ''hot idle,'' which is a holding pattern to prevent the coke battery bricks from cooling and damaging the battery. The extension and clarification of the SIF credit will help these manufacturers mitigate their losses as the economy recovers.

The one-year credit period and short placed-in-service deadline for SIF facilities have had a negative impact on SIF producers' ability to attract the outside investment needed to finance SIF projects. This negative impact has been compounded by the economic conditions that have prevailed since the enactment of the credit. SIF projects typically involve lengthy negotiations to implement the transaction structure necessary to claim the SIF credit, address environmental considerations, and negotiate the relevant economic terms. This in turn effectively reduced the one-year credit period to a lesser period for certain projects. The short time period to place projects in service—slightly over one year after the enactment of the credit—meant that there was too little time to get projects up and running. For these reasons, the intended subsidy of the SIF credit did not operate as designed and the extension of the credit—from one year to at least two years—and the extension of the placed-in-service deadline—from December 31, 2009 to December 31, 2010—are needed.

Included in the legislation I cosponsored is an important clarification on an issue that has slowed negotiations with respect to SIF projects. I very much hope that the final extenders package will include this and other clarifications. It is expected that, for the convenience of the parties and for environmental safety, facilities producing SIF will typically be located on land leased from a steel company or other owner of a coking operation. Such a lessor will not be treated as having an ownership interest in the SIF facility under the clarification because it leases land and related facilities, sells coal waste sludge or coal feedstock, and/or buys SIF so long as such person's entitlement to rent and/or other net payments is measured by a fixed dollar amount or a fixed dollar amount per ton, or otherwise not determined by reference to the profit or loss of the facility. Similarly, a licensor of technology will not be treated as having an ownership interest in the SIF facility because it is entitled to a royalty and/or other payment that is a fixed amount per ton or otherwise not determined by reference to the profit or loss of the facility. Such arrangements may also cause facilities that produce SIF to operate at a loss before the credit is taken into account. However, it is intended that the occurrence of such a ''pre-tax loss'' will not affect entitlement to this credit, regardless of whether such ''pre-tax loss'' is caused by the terms of the lease, license, supply or sales contracts between the parties. To that end, the bill provides necessary flexibility for varying circumstances of ownership interests and clarifies that the existence of such arrangements will not prevent the equity owner of a facility from receiving tax credits for its sales of SIF. This amendment would provide greater tax certainty to potential investors in SIF projects.

SIF is typically produced at facilities that are located on the premises of coke plants that are owned by integrated steel companies that are unrelated to the SIF producers. The SIF production facility is situated on or near conveyor belts that may be leased from the integrated steel company and production of SIF may occur while coal—and coal blended with petroleum coke—is transported on the conveyor belts. SIF producers may purchase coal from the integrated steel producer, taking title and having risk of loss while such coal is transported on the conveyor belt.

The bill provides a safe harbor that establishes that the SIF producer shall be treated as the producer and seller of SIF that it manufactures from coal to which it has taken title. The bill further clarifies that the sale of SIF shall not fail to qualify as a sale to an unrelated party for purposes of the SIF credit solely because the sale is to a party that is also a ground lessor, supplier, and/or customer.

Our bill also establishes that SIF may also be made using coal or coal that is mixed with some petroleum coke or other coke feedstock. Such ''pet coke'' has traditionally been used by steel companies/coke operators in a blend with coal as a feedstock for coke. Steel companies also have explored and presently contemplate the use of other coke feedstocks to manufacture SIF. The bill provides that the use of pet coke or other coke feedstocks in the production of SIF does not invalidate or otherwise reduce the credit.

The steel industry is still prominent in my district in Pittsburgh and I'm hopeful that SIF projects will expand our domestic energy resources by using what would otherwise be a hazardous waste of the coking process in a fuel product. The availability of the tax credit will attract outside investment to the steel and coke production industries and promote job growth in the domestic steel production industry and in related industries that service the steel and coke production industries. The extension of the SIF credit will spur the investment of millions of dollars that will create hundreds of new jobs—in construction and processing—and maintain other jobs in the domestic steel industry, in Pittsburgh and around the country. I urge my colleagues to support this legislation and hope the Senate will extend this credit and make these much needed technical corrections.

RECOGNIZING THE DIFFICULT CHALLENGES AND HEROISM OF BLACK VETERANS

SPEECH OF

HON. LARRY KISSELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 2010

Mr. KISSELL. Mr. Speaker, a constituent of mine, Michael Lawson, recently told me about the little known role the first all black fighting regiment had during WWI.

The 15th New York Infantry, ''The Harlem Hellfighters,'' later federally designated as the 369th Regiment Army. They served valiantly, including 191 days without a replacement and never lost a prisoner or a foot of ground. He said there had been no formal American recognition of the dedication and sacrifice of these young men. The French did recognize them with the Croix de Guerre, their highest military honor as well as a monument dedicated by a grateful French government.

Michael knew all about the Harlem Hellfighters because his grandfather, MAJ Melville T. Miller, served more than 50 years in the U.S. Army through two World Wars and the Korean War. Major Miller began his service as a member of the unit when he was just 16 years old.

RECOGNIZING THE KIWANIS CLUB OF FINDLAY ON ITS NINETIETH ANNIVERSARY

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. JORDAN of Ohio. Madam Speaker, I am honored to pay tribute to the Kiwanis Club of Findlay, Ohio, as it celebrates 90 years of service to the greater Findlay area.

Since 1915, Kiwanians have been dedicated to ''changing the world one child and one community at a time.'' Chartered 90 years ago today, the Kiwanis Club of Findlay has answered this call from the start, playing a vital role in supporting youth programs throughout Hancock County.

Findlay's Kiwanians proudly sponsor local Key Clubs and K-Kids programs, support the University of Findlay's Circle K Club, and inspire our country's future leaders through the Hugh O'Brian Youth Leadership Program. For more than 70 years, they have sponsored Boy Scout Citizenship Day to help young people learn about the duties and responsibilities of their local government officials.

The club is well known for its outstanding scholarship programs, which to date have seen in excess of $100,000 awarded to more than one hundred students. It developed this program in recognition of its longtime secretary and treasurer, Fred Brucklacher, a lifelong advocate of higher education.

In 2007, in the aftermath of devastating flooding throughout the Findlay area, the Findlay Kiwanis led efforts to raise more than $17,000 in cash and school supplies to donate to students and families in need.

Madam Speaker, the club will mark its anniversary with a dinner this evening, where Kiwanis International Vice President Alan Penn and Ohio District Governor Donald Parker will lead the tributes to the club's long history of service. Among the honorees will be Dwight Snyder, Jr., a former state chapter officeholder who has compiled a 40-year record of perfect attendance at local meetings.

I invite my colleagues to join me in saluting the Kiwanis Club of Findlay on its ninetieth anniversary and wishing its members every success in the future.

HONORING THE LIFE OF RONALD CRABB

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. COURTNEY. Madam Speaker, I rise today with a heavy heart to mark the passing of my friend and constituent Ronald Crabb who died tragically while working on the site of the Kleen Energy Plant in Middletown on February 7, 2010. Ron was a devoted father, husband, and son, and his loss has been felt by countless individuals in his community and by those who called him a friend.

He was a skilled tradesman who exemplified hard work and citizenship by constantly giving back to the people of Colchester. As a pipefitter for the Connecticut Plumbers and Pipefitters Local 777, he took on leadership roles to ensure the safety and improve the lives of his fellow union members. Ron was also an active member of his community. He served on Colchester's Democratic Town Committee and, until recently, was a member of the Board of Finance for several years.

It was Ron's love for his wife, Jodi, and his two sons that made him so passionate and upbeat. Anyone fortunate enough to call him a friend would tell you that he kept their love with him no matter where he was or what he was doing. He loved spending time with them and spoke fondly of them in their absence.

On the job and in life, Ron had a seemingly endless desire and ability to help. He did this by putting his good values into practice and his town, friends, and family are better for it. He left us too early and we will miss him dearly. I ask my colleagues to join me in mourning the loss of Ronald Crabb.

HONORING THE ACCOMPLISHMENTS AND LIFE OF NINA SIMONE

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. SHULER. Madam Speaker, I rise today to remember the life of legendary American Jazz musician and civil rights activist Nina Simone. A native of Tryon, North Carolina, Nina Simone was born Eunice Kathleen Waymon on February 21, 1933. In the United States House of Representatives, it is an honor to represent Ms. Simone's birthplace and the town where she began her legacy of musical innovation and civil rights activism.

Ms. Simone began playing the piano at age three and made her first classical piano debut at the age twelve. During this first recital she witnessed her parents being escorted from the front row to make room for a Caucasian family. Ms. Simone refused to play until her parents were seated in the front row. This event marked the beginning of a lifetime of civil rights activism.

As the sixth of seven children in a poor family, Ms Simone began her musical career singing as an accompanist to earn extra income for her family. As the civil rights struggle developed in the United States, so did her music. In any number of her protest songs, one can hear her emotional response to the situations of African Americans in the United States.

By 1974, Ms. Simone was traveling the world. Her music, both in French and English, has been an inspiration for artists around the world. The Eunice Waymon-Nina Simone Project honors the legacy of Nina Simone in Tryon, her hometown in Western North Carolina. The Project honors her remarkable life and musical contributions. The Project also seeks to inspire and support talented youth to reach their full potential through a variety of scholarship programs. On the 21st of February they will be unveiling a life-size bronze statue of Ms. Simone. The Eunice Waymon-Nina Simone Project keeps her legacy alive in Western North Carolina.

Ms. Simone passed away on April 21, 2003 at the age of 70 in the French countryside. Her daughter, Lisa Celeste Stroud, is also an actress and singer. Born in New York, Ms. Stroud spent much time traveling the world with her mother before enlisting in the United States Air Force. Today, she is a successful singer with a resume that includes starring in the Tim Rice Musical ''Aida.''

Madam Speaker, I ask my colleagues to join me in celebrating Ms. Simone's 77th birthday, and celebrating her extraordinary accomplishments as both an extraordinary jazz musician and strong civil rights activist.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor the week of Monday, February 22, 2010–Friday, February 26, 2010.

For Monday, February 22, 2010, I ask that the RECORD reflect that had I been present I would have voted ''aye'' on rollcall vote #49 (on motion to suspend the rules and agree to H.R. 4425), ''aye'' on rollcall vote #50 (on motion to suspend the rules and agree to H.R. 4238).

For Tuesday, February 23, 2010, I ask that the RECORD reflect that had I been present I would have voted ''no'' on rollcall vote #51 (on agreeing to H. Res. 1083, which provides for consideration of H.R. 2314), ''aye'' on rollcall vote #52 (on motion to suspend the rules and agree to H. Res. 1066), ''aye'' on rollcall vote #53 (on motion to suspend the rules and agree to H. Res. 1059), ''aye'' on rollcall vote #54 (on motion to suspend the rules and agree to H. Res. 1039), ''aye'' on rollcall vote #55 (on motion to suspend the rules and agree to H. Res. 1046), ''aye'' on rollcall vote #56 (on agreeing to the Hastings (WA) amendment to H.R. 2314), ''aye'' on rollcall vote #57 (on agreeing to the Flake amendment to H.R. 2314), ''no'' on rollcall vote #58 (on agreeing to the Abercrombie amendment to H.R. 2314), ''no'' on rollcall vote #59 (on passage of H.R. 2314).

For Wednesday, February 24, 2010, I ask that the RECORD reflect that had I been present I would have voted ''no'' on rollcall vote #60 (on agreeing to H. Res. 1098, which provides for consideration of H.R. 4626), ''aye'' on rollcall vote #61 (on motion to suspend the rules and agree to H. Res. 1074), ''aye'' on rollcall vote #62 (on motion to suspend the rules and agree to H. Res. 944), ''aye'' on rollcall vote #63 (on motion to recommit H.R. 4626 with instructions), ''aye'' on rollcall vote #64 (on passage of H.R. 4626), ''aye'' on rollcall vote #65 (on motion to suspend the rules and agree to H. Res. 1085).

For Thursday, February 25, 2010, I ask that the RECORD reflect that had I been present I would have voted ''no'' on rollcall vote #66 (on agreeing to H. Res. 1105, which provides for consideration of H.R. 2701), ''aye'' on rollcall vote #67 (on motion to concur in Senate amendments to H.R. 3961), ''aye'' on rollcall vote #68 (on motion to suspend the rules and agree to H. Con. Res. 227).

For Friday, February 26, 2010, I ask that the RECORD reflect that had I been present I would have voted ''no'' on rollcall vote #69 (on agreeing to the Reyes (TX) amendment to H.R. 2701), ''aye'' on rollcall vote #70 (on agreeing to the Hastings (FL) amendment to H.R. 2701), ''aye'' on rollcall vote #71 (on agreeing to the Schauer amendment to H.R. 2701), ''aye'' on rollcall vote #72 (on motion to recommit H.R. 2701 with instructions), ''no'' on rollcall vote #73 (on passage of H.R. 2701), ''aye'' on rollcall vote #74 (on motion to suspend the rules and agree to H. Con. Res. 238).

HONORING EDWARD F. GORHAM

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. MICHAUD. Madam Speaker, I rise today to recognize the accomplishments of Edward F. Gorham of Randolph, Maine on the occasion of his recent retirement as president of the Maine AFL–CIO.

For over forty years, Eddie Gorham has been a voice for working men and women in Maine. He has been tireless in fighting to ensure that ordinary Mainers have a chance to join the middle class, and he embodies the Maine values of fairness and equality. Born March 8, 1944 to Joe and Betty Gorham, strong union members with roots in Connemara, Ireland, Eddie grew up in the Munjoy Hill neighborhood of Portland. After graduating from the University of Maine with a degree in history and government in 1966, Eddie heeded President John F. Kennedy's call to service and went to India as a volunteer with the Peace Corps. Back in Maine, Eddie joined Local 29 of the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers and became a journeyman boilermaker.

In 1976, Eddie began his nearly thirty-five years of dedicated service to Maine workers at the Maine AFL-CIO. During his tenure there, he never stopped advocating for the Maine men and women who build our ships, make our paper and keep our state running. Eddie started out as a legislative liaison. He quickly and deftly learned the political and legislative process in Augusta, participating in labor committee sessions, researching and revising labor bills and lobbying for their passage. In 1977, he was elected Secretary-Treasurer, a position he held for twenty-two years until becoming president in 1999. During these years,

Eddie's prowess in the halls of the State House in Augusta became legendary. He has forged coalitions, organized participation in hearings and provided key facts to legislators on labor issues. There is no doubt that Eddie's legislative skills have been a driving force behind the passage of major legislation benefiting Maine's working families, including the first in the country Chemical ID Law, Community Right To Know, minimum wage, severance pay, sexual harassment, toxic use reduction, VDT standards, workers' compensation and unemployment and training benefits.

In addition to his professional contributions, Eddie is a leader in his community. He currently serves as selectman in his hometown of Randolph, where he lives with his wife Diana and his three children, Matthew, Delia and James.

Madam Speaker, please join me in honoring Edward F. Gorham for his life-long dedication and service to the working people of Maine.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. WESTMORELAND. Madam Speaker, I attended the grand opening events of the Kia Motors manufacturing facility in West Point, Georgia. As a result, I missed a number of votes. Had I been present, I would have voted the following: ''Nay'' on Agreeing to the Resolution providing for consideration of the bill (H.R. 2701) to authorize appropriations for FY 2010 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the CIA Retirement and Disability System, waiving a requirement of clause 6(a) of rule XIII. (rollcall No. 66);

''aye'' on Motion to Concur in Senate Amendments to Medicare Physician Payment Reform Act. (rollcall No. 67); and

''aye'' on Motion to Suspend the Rules and Agree, as Amended, Supporting the goals and ideals of National Urban Crimes Awareness Week (rollcall No. 68).

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mrs. MYRICK. Madam Speaker, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

Rollcall vote No. 67, on motion to concur in Senate amendments—H. R. 3961, Medicare Physician Payment Reform Act—I would have voted ''aye.''

Rollcall vote No. 68, on motion to suspend the rules and agree, as amended—H. Con. Res. 227, Supporting the goals and ideals of National Urban Crimes Awareness Week—I would have voted ''aye.''

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $12,507,536,462,861.04.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $1,869,110,716,567.24 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

REVEREND DR. MAJOR A. STEWART

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Rev. Dr. Major A. Stewart as he is installed as pastor of Mt. Olive Missionary Baptist Church on Sunday, March 7th in my hometown of Flint, Michigan.

Pastor Stewart was raised in the Muskegon, Michigan, area. He confessed his call to preach the gospel in 1986, and was licensed to preach in 1992. He was ordained in December 1995. His ministry has included work as a youth pastor, associate minister, singles coordinator and assistant pastor, working in Michigan, California, Florida and Pennsylvania. His missionary work has taken him to Turkey, West Africa, and Liberia. He has also participated in a trip to Israel with the United Theological Seminary Pilgrimage Team.

In addition to his duties as senior pastor of Mt. Olive Missionary Baptist Church, Reverend Stewart also works at GM Parts World Headquarters and is an adjunct part-time instructor at Concordia University teaching accounting, business policy and marketing management. Pastor Stewart holds a bachelor of business administration degree from Eastern Michigan University; a master of business administration degree from California Lutheran University; a master of arts in Christian education from Michigan Theological Seminary; and a doctor of ministry degree from United Theological Seminary.

Reverend Stewart and his wife, Carla Brooks Stewart, are the parents of Alexandria Janine, Mikaela Ann and Karissa Danielle Stewart.

Madam Speaker, I ask the House of Representatives to join me in congratulating Rev. Dr. Major A. Stewart as he is installed as the new pastor of the historic Mt. Olive Missionary Baptist Church. Mt. Olive has been a rock of hope and guidance for 102 years and I pray that under Pastor Stewart's leadership it will continue to spread the good news of Our Savior, Jesus Christ, throughout the Flint area for many, many years to come.

TRIBUTE TO REVEREND JAMES GLOVER, JR.

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to a true military hero, a constituent and a valued friend Reverend James Glover, Jr. passed away on February 6, 2010, and we all owe him a debt of gratitude his service to our nation and his commitment to his community. Mr. Glover was a member of the Montford Point Marines, African Americans members of the United States Marine Corp, who served in World War II.

James Glover, Jr. was born August 16, 1916, in Eutawville, South Carolina, the son of a prominent Baptist minister. Although he felt a strong pull to follow his father's footsteps, the call to serve his country during World War II changed his course as a young man.

He entered the military February 28, 1942, as one of the first African Americans to be permitted in the Marine Corp and his unit became known as the legendary Montford Point Marines. As a marine, Lance Corporal Glover endured great hardships to begin a legacy that has brought honor to the United States Marine Corps and all those who have served our nation.

Lance Corporal Glover and his fellow Black Marines succeeded despite enduring segregated training conditions at the Montford Point Camp, which is now part of Camp LeJeune, North Carolina. They were subjected to racial abuse and discrimination, yet persevered and earned the respect of the other Marines.

Lance Corporal Glover served honorably in the Pacific theatre in the 51st Defense Battalion authorized in 1942. As a member of the 27th Marine Depot Company, a combat support unit, he helped supply the front lines with food and ammunition. Under sometimes heavy enemy fire, he loaded and unloaded supplies, resupplied frontline units, and evacuated the dead and wounded.

He was honorably discharged from the Marines on December 1, 1945 and returned to his beloved home in South Carolina where he pursued his calling in the ministry. Reverend Glover was called to pastor Mount Calvary Baptist Church in Orangeburg, SC in 1971. While ministering to his flock at Mount Calvary, Reverend Glover led the efforts to build a new church sanctuary. In addition, the church experienced tremendous growth under his leadership including: organizing numerous auxiliaries, clubs, and choirs. The church's educational center and children's choir have been named in his honor.

Reverend Glover resigned as pastor of Mount Calvary after 26 years of service in 1997, to devote all of his time to his home church, Spring Hill Baptist Church in Eutawville, South Carolina. He was appointed pastor of Spring Hill Baptist Church in 1973 following the rich legacy of his father, Reverend James S. Glover, Sr., and grandfather, Reverend John Glover. Because of the growth of the congregation while serving as the under-shepherd of Spring Hill Baptist Church, Reverend Glover also lead the efforts to build a new church sanctuary and educational building in 1990. He retired as pastor of Spring Hill

Baptist in January 2002, after 29 years of dedicated service, and presently serves as pastor emeritus. In March 2002, Reverend Glover received the ''Living Legends Award'' from the Orangeburg Ministers' Fellowship Conference.

Reverend Glover was married to his beloved wife, Lillian, for 45 years. The couple had five (5) children, fourteen (14) grandchildren, and twenty-five (25) great-grandchildren.

Madam Speaker, I ask you and my colleagues to join me congratulating and expressing our deep and abiding gratitude and appreciation to Rev. James Glover, Jr., posthumously, for his leadership, valor, and enduring service to his country. He was a tremendous role model and has left a legacy of service and sacrifice that will live on as part of our nation's rich history.

RECOGNITION OF THE GERMAN VILLAGE SOCIETY ON ITS 50TH ANNIVERSARY

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Ms. KILROY. Madam Speaker, I rise today to honor the German Village Society for fifty years of dedication to preserving the unique, historical charm of the German Village community. German Village is one of the preeminent historic districts in the United States and is the first neighborhood in Ohio recognized by the White House as a ''Preserve America Community.''

Fifty years ago, community organizer Frank Fetch worried that the historical neighborhood south of downtown Columbus was deteriorating rapidly. He held a meeting to discuss ways to revive the neighborhood. This initial meeting led to the formation of the German Village Society, a group of devoted, preservation-minded residents intent on saving and restoring their neighborhood's historic charm.

Under the guidance of its charter members and with the dedication of local volunteers, German Village's historical preservation continues to this day. Residents donate more than 10,000 hours of their time annually to the community. Due to their passion and dedication to German Village, the entire 233-acre neighborhood is now on the U.S. Department of the Interior's Nation Register of Historic Places.

The German Village Society continues to enhance its reputation as one of central Ohio's best communities in which to live and work. The Haus Und Garten Tour event is recognized on the American Bus Association's ''100 Best Events'' list. The Society also hosts many free programs including Shakespeare in the Park, a summer series of Shakespeare's plays performed outdoors, and a weekly farmer's market. German Village is also home to the 23-acre Schiller Park, an anchor to the neighborhood for over 140 years, and numerous independent restaurants and businesses.

With the continued support of local residents, the German Village Society continues to enrich their neighborhood and promote ''living'' history. On January 10, 2010, the German Village Society celebrated its 50th anniversary. I am proud to recognize and honor the German Village Society and all of its dedicated volunteers for five decades of meaningful work to strengthen and preserve the thriving historical neighborhood of German Village.

HONORING DR. FRANKLIN ODO

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. HONDA. Madam Speaker, I rise today to honor Dr. Franklin Odo for his 12 years of service as Director of the Smithsonian Asian Pacific American Program. The Asian Pacific American Program assists the Smithsonian's 19 museums and research centers with the collection of Asian Pacific Americans' artifacts, programs, research, and outreach. The program gives Asian Pacific American communities across the Nation access to the Smithsonian.

In addition to being the founding director of the Asian Pacific American Program at the Smithsonian Institution, Dr. Odo was the first and only Asian Pacific American curator at the National Museum of American History. Dr. Odo has dedicated his life to documenting, preserving, and presenting the histories of Asian Americans and Pacific Islanders. He has written numerous critically acclaimed books on the Asian American experience, taught at prestigious universities across the Nation, and brought to the Smithsonian cutting edge exhibits on Chinese Americans, Native Hawaiians, Korean Americans, Filipino Americans, and Japanese Americans.

As an educator myself, I understand and respect Dr. Odo's work. Whether as a professor or a curator, Dr. Odo has made teaching his priority. Through his work and vision, Dr. Odo has managed to engage thousands of people in the history, culture, and important contributions of Asian Pacific Americans. He is able to translate scholarly work into publicly accessible formats. Dr. Odo has helped many of us tell our story and ensure that these important lessons continue to pass on from generation to generation.

Franklin Odo has been an activist and academic, and will continue to be a leader in our community. We hold a debt of gratitude to Dr. Odo for his incredible contributions.

STRATEGIC DESIGNATION OF THE PORT OF PORT ARTHUR

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. POE of Texas. Madam Speaker, today the Second District of Texas is proud to honor the Port of Port Arthur for their designation as a Strategic Seaport by the Department of the Army's Military Surface and Distribution Command. They join the nearby Port of Beaumont and the Port of Corpus Christi as the only Strategic Seaports on the Gulf Coast.

The Port of Beaumont is U.S.'s busiest shipper of military cargo, being home of the 842nd Transportation Battalion. The Port of Port Arthur has handled their overflow since November 2007, totaling 9 ships. Now after this honor, Port Arthur can continue to work on overflow while also receiving shipments directly.

The convenient connection between these two ports allow for the ability to quickly and efficiently mobilize and deploy military forces as well as equipment and supplies. The Sabine-Neches Ship Channel is the only one in the Nation with two Strategic Ports, making it the most vital military shipping portal in the U.S.

This designation for the Port of Port Arthur is shared with only a small percentage of U.S. seaports. Port Arthur beat out 11 other Gulf Coast ports, including ones in Houston and New Orleans, for the decoration. The Port of Port Arthur hopes to add jobs for those associated with the shipping industry, which would be an outstanding benefit for all of Southeast Texas.

The Port of Port Arthur has worked since 2000 to upgrade their facilities to meet the military's qualifications. They have worked hard to strengthen the port's ability to serve more customers and there's no more important customer than our nation's military.

The Second Congressional District of Texas commends the Port of Port Arthur and their employees for their hard work and dedication to make this designation possible. Port Arthur can now stand shoulder to shoulder with the finest ports in the world.

NATIONAL EATING DISORDERS AWARENESS WEEK

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Ms. WASSERMAN SCHULTZ. Madam Speaker, this week we observe National Eating Disorders Awareness Week; an opportunity for all Americans to educate themselves about unhealthy eating habits and arm themselves with the tools they need to stay healthy.

Unfortunately, in today's society, girls are especially prone to eating disorders. One organization in particular that has done a great deal of research on eating habits and how they relate to girls' body image and self esteem is the Girl Scouts of the USA, through their Research Institute.

For the past decade, the Girl Scouts Research Institute has been a crucial center for research and public policy information on the healthy development of girls. Their most recent survey, Girls and Body Image, indicates that now, more than ever, young girls struggle with their body image and have unrealistic standards of beauty.

Specifically, the survey found that body dissatisfaction leads to unhealthy eating and dieting habits. More than half of girls (55 percent) admit they diet to lose weight, 42 percent of girls know someone their age who forced themselves to throw up after eating, 37 percent know someone who has been diagnosed with an eating disorder, and 31 percent admit to starving themselves or refusing to eat as a strategy to lose weight. Findings from the survey show girls feel pressure from mainstream media to have an ideal body type.

I am committed to working with Girl Scouts to advocate for media messaging to be more ''girl-positive.'' This will lead to the healthy development of girls in terms of self-esteem and

body image, respectful relationships, and leadership skills. As our nation reflects this week on the importance of healthy eating habits and the destructive effects of eating disorders, we are presented with a unique opportunity to empower girls to lead healthier lives. We recognize that the self-esteem issues in young women are getting worse and the time to take action is now.

It is in this spirit that I encourage all of my colleagues to partner with the Girl Scouts in their efforts to promote media messages that feature girls and women who have diverse body images and act as positive role models.

As co-chair of Troop Capitol Hill, the Honorary Congressional Girl Scout Troop for all women Members of Congress, it is an honor to partner with the Girl Scouts to promote policy solutions that improve girls' lives.

ORLANDO ZAPATA TAMAYO: A CUBAN HERO

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. WOLF. Madam Speaker, Friday's Washington Post featured an editorial which posed the following question: "Since the critique of the old Cuba policy was grounded in its supposed ineffectiveness, it seems fair to ask: Is the new, Castro-friendly approach working?"

The Post continued, "A good answer to that question came Tuesday, when Orlando Zapata Tamayo, a 42-year old Afro-Cuban political prisoner, died after an 83-day hunger strike."

Last week, just 90 miles off our shores, Mr. Tamayo's heroic protest against his treatment by the Cuban regime tragically ended.

Mr. Tamayo had been active in several dissident organizations and was arrested in 2003 during a government crackdown and sentenced to a lengthy prison term. Forced to endure what he described as repeated beatings among other abuses, he stopped eating solid foods on December 3. At the time of his death he was he was facing a total of 36 years in prison for a variety of baseless charges, among them "disobedience."

He was not alone in his repression. The U.S. State Department's annual human rights report outlines in grim detail the reality of life in a country where the government continues to deny its citizens the most basic human rights. The 2009 report indicated that at year's end there were "at least 205 political prisoners and detainees. As many as 5,000 citizens served sentences for 'dangerousness,' without being charged with a specific crime," according to the report.

I'd be curious to know how many of those political prisoners or their families have been visited by any of the international delegations, including U.S. congressional delegations, that frequent Havana.

I have long held the belief—in Democrat and Republican administrations alike—that America is most true to its defining principles when in the face of tyranny, fear and oppression, we boldly speak for those whose voices have been silenced. Ronald Reagan did this time and again with the Soviet Union. And when the Wall had crumbled, and the dust had settled, stories emerged of dissidents who found the hope to carry on when word reached their cells of this American president who had raised, by name, their individual plight.

Let us speak out for heroes like Mr. Tamayo who cannot speak for themselves.

ROSEHAVEN MANOR

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. KILDEE. Madam Speaker, I rise today to congratulate Rosehaven Manor on their 20th Anniversary as a retirement community in my hometown of Flint, Michigan. A celebration is planned for Thursday, March 4th to honor this milestone.

Associated Management recognized the need for senior housing in the Flint area and broke ground at the building site on December 20, 1988. The work was completed on the 123 units in February 1990 and the grand opening was held in March of that year. All the units were rented and at that time there was a waiting list. Today there are three original residents still living at Rosehaven Manor; my sister, June Crockett, Kathleen Shepard and Clarence Henderson.

Madam Speaker, I ask the House of Representatives to join me in congratulating the staff and Associated Management for providing senior housing to the Flint community. I commend them for their service to the residents of Rosehaven Manor for the past 20 years.

TRIBUTE TO REVEREND ABRAHAM BROWN

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Ms. CASTOR of Florida. Madam Speaker, I rise today to honor the life and accomplishments of Reverend Abraham Brown—and to acknowledge his contributions to education, social progress, and to the community of Tampa Bay.

Rev. Brown was born in downtown Tampa, the youngest of 3 children. He graduated from Tampa's Middleton Senior High School in 1946 and continued his education as an All Conference Student Athlete at Florida Agriculture and Mechanical University (FAMU). He graduated in 1950 and ultimately earned a Master's Degree in Administration and Supervision.

Rev. Brown returned to Tampa and went to work for the students in the public Hillsborough County Schools for thirty-eight years as a Teacher, Coach and Administrator. His coaching promoted sixteen athletes to professional football. These professional players attribute their success to the firm foundation and inspirational teachings of Coach Abe Brown. "Coach" retired from Hillsborough's school system on January 29, 1988 as Dean of Boys at Chamberlain High School.

In 1976 a former player of Rev. Brown was charged with murder and Brown realized that he had taught young men how to play football but had not taught them how to live productive lives. In response to this he founded Prison Crusade Ministries, Inc. (now Abe Brown Ministries, Inc.) a non-profit organization that enables offenders, ex-offenders, their families, and others at risk, to achieve productive and spiritually fulfilling lives.

Rev. Brown continued his social outreach and in 1991, he received nationwide coverage and honor through an article in the Readers Digest regarding his active establishment and implementation of an effort to stop street drug sales in Tampa's College Hill community.

In 1993, he was awarded the America's Award ("The Nobel Peace Prize for Goodness") for dedication through the Norman Vincent Peale Foundation. Rev. Brown was named Father of the Year in 2007 by the 100 Black Men of Tampa Bay and was also honored by the Tampa Chapter of the NFL and Hall of Fame with the J. Rex Farrior Award. In 2008, Tampa's new Middleton High School stadium was named "Abe Brown Stadium" in his honor.

Rev. Brown is a tremendous role model for our youth and an inspiration to our community. He selflessly devoted his life to others and instead of abandoning those who had lost their way he worked tirelessly to help them get back on track. He not only helped numerous individuals, he helped an entire community. That is why I rise today to honor the life of Reverend Abraham Brown.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. WESTMORELAND. Madam Speaker, I attended the grand opening events of the Kia Motors manufacturing facility in West Point, Georgia. As a result, I missed a number of votes. Had I been present, I would have voted the following:

Nay on Reyes of Texas Amendment, as Modified on Agreeing to the Amendment to H.R. 2701 (rollcall No. 69)

Aye on Hastings of Florida Amendment, on Agreeing to the Amendment to H.R. 2701 (rollcall No. 70)

Aye on Schauer of Michigan Amendment, on Agreeing to the Amendment to H.R. 2701 (rollcall No. 71)

Aye on Motion to Recommit with Instructions, the Intelligence Authorization Act for Fiscal Year 2010 (rollcall No. 72)

Nay on Passage, the Intelligence Authorization Act for Fiscal Year 2010 (rollcall No. 73)

Aye on Motion to Suspend the Rules and Agree to Recognizing the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation (rollcall No. 74)

HONORING WILSON COUNTY, TEXAS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CUELLAR. Madam Speaker, I rise today to honor Wilson County, Texas on its sesquicentennial year. It was 150 years ago when Wilson County was founded in south Texas by an act of the state legislature. The area is rich in culture and history and serves a great part to the state of Texas.

Before the founding of the county, the first Spanish explorers traveled through the area in the early eighteenth century and used the land mostly for ranching. Most notably, the birthplace of commercial ranching took place at Rancho de las Cabras. This was a ranching outpost for Mission San Francisco de la Espada where the first ranches and cowboys settled near Floresville in Wilson County. By the 1800s, Anglo American, German and Polish settlers began moving into the area. Soon after, the state Legislature founded Wilson County on February 13, 1860. The county was named after James Charles Wilson, who was an early settler of Texas and a state legislator.

Throughout the years, Wilson County has played a significant role in south Texas history. After the Civil War, Wilson County's population underwent the greatest growth due to the completion of the San Antonio and Aransas Pass Railway, which reached Floresville in 1886. By the early nineteenth century, farmers who were once known for cotton crops as the most important cash crop, then diversified into a wider range of peas, watermelons, and peanuts. Today, some call Floresville the ''Peanut Capital of Texas.'' One of the county's best known natives is John Connally, who was born in 1917 near Floresville. Later Connally served as governor and survived a shot during President John F. Kennedy's assassination in 1963. One hundred and fifty years has shaped the county and development of Texas through its historical sites, involvement in diversified farming, ranching, and even oil discovery.

Wilson County includes towns and cities such as Carpenter, Floresville, La Vernia, Pandora, Poth, Saspamco, Stockdale, Sutherland Springs, Grass Pond Colony, Kicaster, Doseido Colony, and Sandy Hills. It totals 809 square miles and has a population of more than 40,000.

From a legacy in ranching, to its honorable natives and rich historical culture, Wilson County celebrating its sesquicentennial year is a milestone for the county and for Texas. I am honored to have had this time to recognize Wilson County on its sesquicentennial year. I thank you for this time, Madam Speaker.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2009

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. RICHARDSON. Mr. Speaker, as a member of the Native American Caucus, I rise today in strong support of H.R. 2314, the Native Hawaiian Government Reorganization Act, which will formally extend the federal policy of self-determination and self-governance to Native Hawaiians.

I would like to acknowledge Speaker PELOSI, Majority Leader REID, and Chairman RAHALL for their leadership in bringing this milestone bill to the floor. I would also like to thank my colleague Congressman AKAKA, the author of this legislation, who worked so hard for so many years to give Native Hawaiians the opportunity for self governance.

Mr. Speaker, the Native Hawaiian Government Reorganization Act provides Native Hawaiians with an opportunity for self determination and cultural preservation, while empowering them to be an equal partner with the state and federal government. They will finally be on equal footing in federal policies toward American Indians, Alaska Natives, and Native Hawaiians.

I am pleased to champion H.R. 2314, which provides the self governing opportunities that have been denied to this community for so long. Native Hawaiians should have the same opportunity for cultural preservation and self-determination as indigenous people on the mainland U.S. Just to be clear, this bill does not recognize a Native Hawaiian government upon passage, nor exempt a Native Hawaiian government from any provision of the U.S. Constitution, Federal law, or taxation.

Mr. Speaker, I support this bill because it will finally extend the federal policy of recognition to Native Hawaiians. This legislation is yet another example of how Congress is responding to calls for change in America.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 2314.

TRIBUTE TO PATRICIA SOWELL HARRIS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to an outstanding business, civic and community leader who is a wonderful example of why we celebrate Black History Month. Patricia Sowell Harris is the global chief diversity officer for McDonald's Corporation in Oak Brook, Illinois. Under her leadership, McDonald's has become a global leader in workplace diversity.

I am proud to say that Patricia is a fellow South Carolinian and a good friend. She was born and raised in the small town of McBee. One of 11 children, she earned her bachelor's degree in public administration and personnel administration from Roosevelt University in Chicago. In 1976, she was hired by the McDonald's Corporation to work in its legal department. Nine years later, she was named the company's affirmative action manager. Pamela was appointed assistant vice president in 1997, and in 2001 she was appointed to her current position as global chief diversity officer.

Charged with spearheading McDonald's diversity initiatives, Ms. Harris responded with considerable resolve and her efforts have produced astonishing successes. As a result, McDonald's is widely recognized as a diverse and welcoming place to work. Fortune magazine listed McDonald's 2 years in a row as the no. 1 company for diversity. Other publications that have lauded McDonald's for its inclusive philosophy include Essence, Hispanic Business, Latina Style and Black Enterprise.

Patricia's hard work has not gone unnoticed in other quarters. In the course of her career she has been the recipient of many accolades and tributes. She was awarded the National Restaurant Association's Salute to Excellence and was inducted into their 2006 Hall of Diplomats. Working Mother magazine called Patricia one of the top 10 diversity champions in the country. McDonald's presented her with the Eagle Award and named its annual award for achievements in diversity the ''Pat Harris Diversity Award.''

Her ascent through the ranks of the McDonald's Corporation is a testament to her professionalism and strong work ethic. Her extensive work in her community is a demonstration of her imitable character and strong moral foundation. She has said that ''the best accomplishment one can receive is to be asked to serve and give back to the community.'' Her unyielding commitment to this philosophy is evident in her numerous philanthropic pursuits.

Patricia is a founding member and former chair of the Multicultural Foodservice and Hospitality Alliance and a founding member and past board member of the Women's Foodservice Forum. She is the chair of the NAACP ACT-SO Advisory Council and is the board president of the Y-Me National Breast Cancer Organization. She is also a board member of DePaul University's Business and Ethics Committee, the International Franchise Association's Diversity Institute and co-chair of the Rainbow/PUSH EXCEL board of directors.

In 2009, Wiley published her book None of Us Is as Good as All of Us, which documents her rise from humble beginnings as a farmer's daughter to the top ranks of American business. The book also details her corporate philosophy and the steps McDonald's has taken under her leadership to improve workplace diversity.

Patricia currently resides in Chicago and is a proud mother and grandmother to her son Dwayne and granddaughter Cydnii.

Madam Speaker, I ask you and my colleagues to join me in congratulating Patricia Sowell Harris on her impressive career at McDonald's and her ongoing commitment to her community. I am proud to add my voice to the chorus of individuals, media outlets and organizations that have praised Ms. Harris for her many accomplishments. She serves as a tremendous example of why we celebrate the contributions of African Americans during Black History Month, and I commend her for all that she has done and will continue to do on behalf of people of color.

PERSONAL EXPLANATION

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. KING of New York. Madam Speaker, I was not present for votes on Friday, February 26, 2010. Had I been present, this is how I would have voted: On rollcall #69 I would have voted ''no.'' On rollcall #70 I would have voted ''yes.'' On rollcall #71 I would have

voted "yes." On rollcall #72 I would have voted "yes." On rollcall #73 I would have voted "no." On rollcall #74 I would have voted "yes."

CONGRATULATIONS TO UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON FOR BEING ASKED TO JOIN THE TEXAS MEDICAL CENTER

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. PAUL. Madam Speaker, I am pleased to congratulate the University of Texas Medical Branch at Galveston (UTMB) for being approved for full membership in the Texas Medical Center, the world's largest medical complex. Texas Medical Center President and CEO Richard E. Wainerdi said of the decision to include UTMB in the Texas Medical Center, "We are proud to have The University of Texas Medical Branch join the Texas Medical Center as its 49th member institution. As a member of the Texas Medical Center, UTMB will be collaborating more closely with other member institutions and this relationship will further increase the combined level of expertise that will be a material benefit to citizens throughout Texas and beyond."

Working closely with UTMB as I do, I am not surprised that it has been asked to join the University of Texas Medical Center. The people of UTMB are consistently working to improve the lives and health of Texans and all Americans.

UTMB is one of the major centers of medical research in Texas and in the nation. UTMB features a multidisciplinary environment that enables scientists and clinicians to work on projects that often have immediate application to patient care. Among UTMB's areas of strength are neuroscience; pain management and stroke treatment; gastrointestinal health; environmental health and asthma; infectious diseases; vaccine development; cancer; molecular medicine; aging; and diabetes. Among its numerous activities, UTMB hosts summer science programs for middle school, high school, and undergraduate students to help encourage and develop the research workforce of tomorrow.

While UTMB's research program is impressive, many Texans primarily think of UTMB as a leading provider of quality health care. This is because UTMB offers services ranging from primary to specialized diagnostic care. Particularly impressive is UTMB's pioneering telemedicine programs.

In conclusion, Madam Speaker, I congratulate the University of Texas Medical Branch at Galveston for being asked to join the University of Texas Medical Center. I also extend my gratitude, on behalf of all the people of my district, for all that the people of UTMB are doing in both the field of medical research and in delivering quality health care to the people of Texas.

SID PRUITT—2010 INDUCTEE FOR THE BEACH DEEJAY HALL OF FAME

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. JONES. Madam Speaker, I have the privilege of representing a district with a very unique culture. The people of eastern North Carolina have fought to preserve this culture that focuses on beach life and the traditions that go along with the coastal and coastal piedmont region.

Beach Music and Shag Music is the very foundation for many of the traditions for the people who grew up in eastern North Carolina and this music remains a staple in the lives of my constituents to this day.

My wife JoeAnne and I would like to congratulate Mr. Sid Pruitt, of Wilmington, NC, who is being recognized as the 2010 Inductee to the Beach Deejay Hall of Fame. I have known Sid for 15 years and have flown with him a number of times, as he is also a pilot. I have just learned of his other talent as a "Beach Music" deejay.

Beach Deejay Hall of Fame inductees are to be of reputable character and conduct him/herself in a professional manner and I can attest to this with Sid Pruitt.

Again, I would like to congratulate my friend, Mr. Sid Pruitt and his wife, Kathy, on his induction into the Beach Deejay Hall of Fame and thank him for upholding and preserving the traditions that are so dear to the people of eastern North Carolina.

PERSONAL EXPLANATION

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. STUPAK. Madam Speaker, on Thursday, February 25 and Friday, February 26, 2010, I was absent for eight votes for medical reasons. I rise today to state how I would have voted had I been able to vote.

House rollcall vote 67, I would have voted "no."

House rollcall vote 68, I would have voted "yes."

House rollcall vote 69, I would have voted "yes."

House rollcall vote 70, I would have voted "yes."

House rollcall vote 71, I would have voted "yes."

House rollcall vote 72, I would have voted "no."

House rollcall vote 73, I would have voted "yes."

House rollcall vote 74, I would have voted "yes."

PERSONAL EXPLANATION

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. BISHOP of New York. Madam Speaker, I was unavoidably detained and not present in the House chamber on Thursday, February 25, 2010 to vote on rollcalls 66 through 73.

I would have voted "yea" on rollcalls 66, 67, 68, 69, 70, 72 and 73. I would have voted "nay" on rollcall 71 had I been present.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S897–S971

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 3056–3059, S. Res. 429, and S. Con. Res. 52. **Pages S944–45**

Measures Reported:

S. 409, to secure Federal ownership and management of significant natural, scenic, and recreational resources, to provide for the protection of cultural resources, to facilitate the efficient extraction of mineral resources by authorizing and directing an exchange of Federal and non-Federal land, with an amendment in the nature of a substitute. (S. Rept. No. 111–129)

S. 522, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, with an amendment in the nature of a substitute. (S. Rept. No. 111–130)

S. 555, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 111–131)

S. 721, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, with an amendment in the nature of a substitute. (S. Rept. No. 111–132)

S. 782, to provide for the establishment of the National Volcano Early Warning and Monitoring System, with an amendment in the nature of a substitute. (S. Rept. No. 111–133)

S. 853, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, with amendments. (S. Rept. No. 111–134)

S. 874, to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico, with an amendment in the nature of a substitute. (S. Rept. No. 111–135)

S. 940, to direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye counties, Nevada, with an amendment in the nature of a substitute. (S. Rept. No. 111–136)

S. 1053, to amend the National Law Enforcement Museum Act to extend the termination date. (S. Rept. No. 111–137)

S. 1139, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, with an amendment in the nature of a substitute. (S. Rept. No. 111–138)

S. 1140, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon, with an amendment in the nature of a substitute. (S. Rept. No. 111–139)

S. 1369, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, with an amendment. (S. Rept. No. 111–140)

S. 1405, to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site". (S. Rept. No. 111–141)

S. 1453, to amend Public Law 106–392 to maintain annual base funding for the Bureau of Reclamation for the Upper Colorado River and San Juan fish recovery programs through fiscal year 2023. (S. Rept. No. 111–142)

S. 1757, to provide for the prepayment of a repayment contract between the United States and the Uintah Water Conservancy District. (S. Rept. No. 111–143)

S. 1759, to authorize certain transfers of water in the Central Valley Project, with an amendment in the nature of a substitute. (S. Rept. No. 111–144)

H.R. 689, to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, with an amendment in the nature of a substitute. (S. Rept. No. 111–145)

H.R. 714, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, with amendments. (S. Rept. No. 111–146)

H.R. 1121, to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina. (S. Rept. No. 111–147)

H.R. 1287, to authorize the Secretary of the Interior to enter into a partnership with the Porter

County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore. (S. Rept. No. 111–148)

H.R. 1376, To establish the Waco Mammoth National Monument in the State of Texas. (S. Rept. No. 111–149)

H.R. 1442, to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909. (S. Rept. No. 111–150)

H.R. 1593, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, with an amendment. (S. Rept. No. 111–151)

H.R. 1694, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, with amendments. (S. Rept. No. 111–152)

H.R. 1945, to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes. (S. Rept. No. 111–153)

H.R. 2330, to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System, with an amendment in the nature of a substitute. (S. Rept. No. 111–154)

H.R. 2802, to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy. (S. Rept. No. 111–155)

H.R. 3113, to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System. (S. Rept. No. 111–156) **Page S944**

Measures Passed:

Temporary Extension Act: By 78 yeas to 19 nays (Vote No. 32), Senate agreed to H.R. 4691, to provide a temporary extension of certain programs, after taking action on the following amendment proposed thereto, clearing the measure for the President: **Pages S926–34**

During consideration of this measure today, Senate also took the following action:

By 43 yeas to 53 nays (Vote No. 31), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 311 of the Congressional Budget Act of 1974, with respect to Bunning Amendment No. 3355, in the nature of a substitute. Subsequently, the point of order that the amendment was in violation of section 311 of the Congressional Budget Act of 1974, was sustained, and the amendment was ruled out of order. **Pages S927–33**

Minority Party Appointments: Senate agreed to S. Res. 429, making minority party appointments for certain committees for the 111th Congress. **Page S970**

Measures Considered:

Tax Extenders Act—Agreement: Senate continued consideration of H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, taking action on the following amendments proposed thereto: **Page S934**

Pending:

Baucus Amendment No. 3336, in the nature of a substitute. **Page S934**

Sessions Amendment No. 3337 (to Amendment No. 3336), to reduce the deficit by establishing discretionary spending caps. **Page S934**

Thune Amendment No. 3338 (to Amendment No. 3336), to create additional tax relief for businesses. **Page S934**

Landrieu Amendment No. 3335 (to Amendment No. 3336), to amend the Internal Revenue Code of 1986 to extend the low-income housing credit rules for buildings in GO Zones. **Page S934**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Wednesday, March 3, 2010, and that the next two Democratic amendments be offered by Senators Murray and Sanders; and the next two Republican amendments be offered by Senator Bunning. **Page S970**

Nomination Confirmed: Senate confirmed the following nomination:

By unanimous vote of 99 yeas (Vote No. EX. 30), Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit. **Pages S904–909, S909–10**

During consideration of this measure today, Senate also took the following action:

By a unanimous vote of 99 yeas (Vote No. Ex. 29), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination. **Pages S908–09**

Nominations Received: Senate received the following nominations:

Michael C. Camuñez, of California, to be an Assistant Secretary of Commerce.

1 Army nomination in the rank of general. **Pages S970–71**

Messages from the House: **Page S942**

Executive Communications: **Page S944**

Additional Cosponsors: **Page S945**

Statements on Introduced Bills/Resolutions: **Pages S945–54**

Additional Statements: Pages S940–42
Amendments Submitted: Pages S954–70
Notices of Hearings/Meetings: Page S970
Authorities for Committees to Meet: Page S970

Record Votes: Four record votes were taken today. (Total—32) Pages S909–10, S933–34

Adjournment: Senate convened at 10 a.m. and adjourned at 9:33 p.m., until 9:30 a.m. on Wednesday, March 3, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S970.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Agriculture, after receiving testimony from Tom Vilsack, Secretary of Agriculture.

SMALL BUSINESS BORROWING AND LENDING

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy concluded a hearing to examine restoring credit, focusing on proposals to fix small business borrowing and lending problems, after receiving testimony from Senators Levin and Stabenow; Arthur Johnson, United Bank of Michigan, Grand Rapids, on behalf of the American Bankers Association; Eric Gillett, Sutton Bank, Attica, Ohio, on behalf of the Independent Community Bankers Association; and Raj Date, Cambridge Winter Center for Financial Institutions Policy, New York, New York.

TOYOTA RECALLS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine Toyota's recalls and the government's response, after receiving testimony from Ray LaHood, Secretary of Transportation; David Strickland, Administrator, National Highway Traffic Safety Administration; Clarence M. Ditlow, Center for Auto Safety, Washington, D.C.; Shinichi Sasaki, and Takeshi Uchiyamada, both of Toyota Motor Corporation, both of Tokyo, Japan; and Yoshimi Inaba, Toyota Motor North America, New York, New York.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Jeffrey Alan Goldstein, of New York, to be Under Secretary of the Treasury, Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade, who was introduced by Senator Nelson (FL), and Sherry Glied, of New York, to be Assistant Secretary of Health and Human Services, after the nominees testified and answered questions in their own behalf.

GLOBAL INTERNET FREEDOM

Committee on the Judiciary: Subcommittee on Human Rights and the Law concluded a hearing to examine global internet freedom and the rule of law, part II, after receiving testimony from Michael H. Posner, Assistant Secretary of State for Democracy, Human Rights and Labor; Daniel J. Weitzner, Associate Administrator for Policy Analysis and Development, National Telecommunications and Information Administration, Department of Commerce; Nicole Wong, Google Inc., Mountain View, California; Rebecca MacKinnon, Global Voices Online, Princeton, New Jersey; and Omid Memarian, International Campaign for Human Rights in Iran, San Francisco, California.

DISABLED VETERANS OF AMERICA

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation from Disabled Veterans of America, after receiving testimony from Roberto Barrera, Disabled American Veterans, Del Rio, Texas.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 4714–4734; and 13 resolutions, H.J. Res. 77–78; H. Con. Res. 244–245; and H. Res. 1125, 1127–1134 were introduced. **Pages H1026–27**

Additional Cosponsors: **Pages H1027–29**

Report Filed: A report was filed today as follows:

H. Res. 1126, providing for consideration of the bill (H.R. 4247) to prevent and reduce the use of physical restraint and seclusion in schools (H. Rept. 111–425). **Page H1026**

Recess: The House recessed at 12:42 p.m. and reconvened at 2 p.m. **Page H974**

Chaplain: The prayer was offered by the guest Chaplain, Chaplain John Beaver, National Chaplain of the American Legion, Mobile, Alabama. **Page H974**

Whole Number of the House: The Chair announced to the House that, in light of the resignation of Representative Abercrombie of Hawaii, the whole number of the House is adjusted to 432. **Page H974**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Natural Hazards Risk Reduction Act: H.R. 3820, amended, to reauthorize Federal natural hazards reduction programs, by a ⅔ yea-and-nay vote of 335 yeas to 50 nays, Roll No. 76; **Pages H975–84, H999–H1000**

Supporting the goals and ideals of National Engineers Week: H. Res. 1097, to support the goals and ideals of National Engineers Week, by a ⅔ recorded vote of 382 ayes with none voting "no", Roll No. 77; **Pages H984–87, H1000–01**

Recognizing the significant contributions of the Military Working Dog (MWD) Program to the United States Armed Forces: H. Res. 812, amended, to recognize the significant contributions of the Military Working Dog (MWD) Program to the United States Armed Forces; **Pages H991–93**

Agreed to amend the title so as to read: "Recognizing the significant contributions of the Military Working Dog Program to the United States Armed Forces.". **Page H993**

Recognizing Louisiana State University for 150 years of service and excellence in higher education: H. Res. 1072, amended, to recognize Louisiana State University for 150 years of service and excellence in higher education, by a ⅔ yea-and-nay vote of 383 yeas with none voting "nay", Roll No. 75; and **Pages H993–94, H999**

Congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (THON): H. Res. 1112, to congratulate the Pennsylvania State University IFC/Panhellenic Dance Marathon (THON) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital. **Pages H994–95**

Recess: The House recessed at 4:17 p.m. and reconvened at 6:31 p.m. **Page H999**

Presidential Messages: Read a message from the President wherein he notified Congress of the continuation beyond March 6, 2010 of the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–96). **Page H974**

Read a message from the President wherein he transmitted to Congress a proposed constitution for the United States Virgin Islands—referred to the Committee on Natural Resources. **Page H975**

Senate Message: Message received from the Senate today appears on pages H1017–18.

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H999, H999–H1000, H1000–01. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:50 p.m.

Committee Meetings

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Major Systems Acquisition at DHS. Testimony was heard from Jane Holl Lute, Deputy Secretary, Department of Homeland Security.

SELECT INTELLIGENCE OVERSIGHT

Committee on Appropriations: Select Intelligence Oversight Panel met in executive session on the National Intelligence Program Budget. Testimony was heard from Dennis Blair, Director, Office of the Director of National Intelligence.

STRENGTHENING FEDERAL CHILD NUTRITION PROGRAMS

Committee on Education and Labor: Held a hearing on Improving Children's Health: Strengthening Federal Child Nutrition Programs. Testimony was heard from public witnesses.

PREVENTING HARMFUL RESTRAINT AND SECLUSION IN SCHOOLS ACT

Committee on Rules: Granted, by a non-record vote, a structured rule providing for consideration of H.R. 4247, the "Preventing Harmful Restraint and Seclusion in Schools Act." The rule provides one hour of general debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as adopted. The rule waives all points of order against provisions of the bill, as amended. The rule provides that the bill, as amended, shall be considered as read. The rule makes in order the amendment printed in part A of the Rules Committee report if offered by Rep. George Miller or his designee, which shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. The rule also makes in order the amendment printed in part B the report if offered by Rep. Flake or his designee, which shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report except for clauses 9 and 10 of rule XXI. The rule provides on motion to recommit with or without instructions. The rule provides that during consideration of an amendment printed in the report of the Committee on Rules accompanying this rule, the Chair may postpone the question of adoption as though under clause 8 of rule XX. The rule provides that measures may be considered under suspension of the rules at any time through Thursday, March 4, 2010. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this authority. The rule waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rule Committee) against any rule reported from the Rules committee through the legislative day of Thursday, March 4, 2010. Testimony was heard from Chairman Miller of California, Representatives Kline and McMorris Rodgers.

ADOPTING THE RULES COMMITTEE VIEWS AND ESTIMATES ON THE PRESIDENT'S FY 2011 BUDGET

Committee on Rules: The Committee adopted, by a non-record vote, its views and estimates on the President's fiscal year 2011 budget.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D164)*

S. 2950, to extend the pilot program for volunteer groups to obtain criminal history background checks. Signed on March 1, 2010. (Public Law 111–143)

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 3, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine the Army budget overview for fiscal year 2011, 9:30 a.m., SD–192.

Subcommittee on Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Environmental Protection Agency, 9:30 a.m., SD–124.

Committee on Armed Services: Subcommittee on Strategic Forces, to hold hearings to examine the protective forces at the Department of Energy, 2:30 p.m., SR–232A.

Full Committee, to receive a closed briefing on policies, procedures, and practices relating to the transfer of detainees held at the Guantanamo Detention Facility, 4:30 p.m., SVC–217.

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the National Oceanic and Atmospheric Administration and Fisheries Enforcement Programs and Operations, 10 a.m., SR–253.

Committee on Energy and Natural Resources: business meeting to consider any pending nominations; to be immediately followed by a hearing to examine the President's proposed budget request for fiscal year 2011 for the Department of the Interior, 10 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine transportation investments relative to the national economy and jobs, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine the 2010 trade agenda, 10:30 a.m., SD–215.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine chemical security, focusing

on assessing progress and charting a path forward, 9:30 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine oversight challenges in the Medicare prescription drug program, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine encouraging innovative and cost-effective crime reduction strategies, 2:15 p.m., SD–226.

Committee on Veterans' Affairs: to hold an oversight hearing to examine mental health care and suicide prevention for veterans, 9:30 a.m., SR–418.

House

Committee on Agriculture, to consider the following: H.R. 3509, Agricultural Credit Act of 2009; and H.R. 3954, Florida National Forest Land Adjustment Act of 2009; and the Views and Estimates Letter to the Committee on the Budget, 3:30 p.m., 1300 Longworth.

Subcommittee on General Farm, Commodities and Risk Management, hearing to review implementation of changes to the Commodity Exchange Act contained in the 2008 Farm Bill, 9:30 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Military Personnel, hearing to review the Department of Defense process for assessing the requirements to implement repeal of ''Don't Ask, Don't Tell,'' 2:30 p.m., 2118 Rayburn.

Subcommittee on Seapower and Expeditionary Forces, hearing on the Fiscal Year 2011 National Defense Authorization Budget Request for the Department of the Navy shipbuilding acquisition programs, 2 p.m., 210 HVC

Committee on the Budget, hearing on Member's Day, 10 a.m., 210 Cannon.

Committee on Education and Labor, hearing with U.S. Secretary of Education on Building a Stronger Economy: Spurring Reform and Innovation in American Education, 9:30 a.m., 2175 Rayburn.

Committee on Financial Services, to consider Committee Print entitled ''Views and Estimates of the Committee on Financial Services on Matters to be Set Forth in the Concurrent Resolution on the Budget for Fiscal Year 2011,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on U.S. Policies and Programs for Global Development: USAID and the Fiscal Year 2011 Budget, 9 a.m., 2172 Rayburn.

Subcommittee on Asia, the Pacific and the Global Environment, hearing on Regional Overview of East Asia and the Pacific, 2:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled: The Department of Homeland Security's Science and Technology Directorate,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, hearing on Domestic and International Trademark Implications of HAVANA CLUB and Section 211 of the Omnibus Appropriations Act of 1999, 10:15 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing entitled ''Setting the Bar for Accountability: Improving NOAA Fisheries Law Enforcement Programs and Operations,'' 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on National Security and Foreign Affairs, hearing entitled ''Transnational Drug Enterprises (Part II): U.S. Government Perspectives on the Threats to Global Stability and U.S. National Security,'' 10 a.m., 2154 Rayburn.

Committee on Science and Technology, hearing on the Department of Energy Fiscal Year 2011, Research and Development Budget Proposal, 12 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to consider the following: the National Transportation Safety Board Reauthorization Act of 2010; the Clean Estuaries Act of 2010; H.R. 4275, To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the ''John C. Godbold United States Judicial Administration Building;'' a resolution Supporting the goals and ideals of National Public Works Week, and for other purposes; H. Res. 1062, Recognizing the Coast Guard Group Astoria's more than 60 years of service to the Pacific Northwest, and for other purposes; the Fiscal Year 2011 Budget Views and Estimates of the Committee on Transportation and Infrastructure, and other pending business, 10 a.m., followed by a hearing on the Water Resources Development Act of 2007: A Review of Implementation in its Third Year, 12 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing on Agency Budgets and Priorities for Fiscal Year 2011, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on H.R. 4241, To amend chapter 17 of title 38, United States Code, to allow for increased flexibility in payments to State veterans homes, 2 p.m., 340 Cannon.

Committee on Ways and Means, to mark up Views and Estimates Letter to the Committee on the Budget, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, Subcommittee on Technical and Tactical Intelligence, executive, briefing on SRP Wrap-Up, 1 p.m., 304 HVC.

Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, executive, briefing on Hot Spots, 3 p.m., 304 HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 3

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 4213, Tax Extenders Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 3

House Chamber

Program for Wednesday: Consideration of the following suspensions: 1) H. Res. 1096—Encouraging individuals across the United States to participate in the 2010 Census; 2) H. Res. 1079—Congratulating the New Orleans Saints; 3) H. Res. 1082—Supporting the goals and ideals of the fourth annual America Saves Week; 4) H.R. 2554—National Association of Registered Agents and Brokers Reform Act of 2009; 5) H. Con. Res. 239—Authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Women Airforce Service Pilots; 6) H. Con. Res. 236—Permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Consideration of H.R. 4247—Preventing Harmful Restraint and Seclusion in Schools Act (Subject to a Rule).

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